

from office, and disqualified for further service.

Section 86. The Depository of each Fresh Water Supply District when designated as provided in this act, shall perform the service as treasurer of the district, and shall execute a bond as such treasurer as may be required by the supervisors.

Section 87. The Board of Supervisors are hereby authorized to pay all necessary costs and expenses necessarily incurred in the creation and organization of any Fresh Water Supply District, and reimburse any person, corporation, or association for money advanced for such purposes, such payment to be made for money obtained from the sale of bonds.

Section 88. Provided, however, this Act shall in no manner repeal or affect the several Acts of the Legislature, providing other or different methods of organization and operating, conservation districts; and provided further that nothing in this Act shall be construed as repealing or in any manner affecting any laws providing for the reclamation of the overflow and swamp lands of this state, and the duties and powers of the State Reclamation Engineer as heretofore provided by law.

Section 89. The fact that in many sections of the State there is a scarcity of fresh water for domestic and commercial purposes, and there are many projects for the development of the different sections of the State calculated to add materially to the development of the state commercially, and impeded for the lack of adequate fresh water supply for domestic and commercial purposes, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended and that this Act take effect and be in force from and after its passage, and it is so enacted.

TWENTY-FOURTH DAY.

Senate Chamber.
Austin, Texas,
Tuesday, July 22, 1919.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. A. Johnson.

The roll was called, a quorum be-

ing present, the following Senators answering to their names:

Alderdice.	Hertzberg.
Bailey.	Hopkins.
Buchanan of Bell.	McNealus.
Buchanan of Scurry	Page.
Carlock.	Rector.
Clark.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	Witt.
Hall.	Woods.

Absent.

Caldwell. Cousins.

Absent—Excused.

Bledsoe.	Johnston.
Dayton.	Parr
Gibson.	

Prayer by Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Dorrough.

Petitions and Memorials.

See Appendix.

Standing Committee Reports.

See Appendix.

Message from the Governor.

Governor's Office,
Austin, Texas, July 21, 1919.
To the Texas State Senate:

Gentlemen: At the request of Mrs. John L. Darrouzet of Galveston, I respectfully withdraw her name as a nominee for a member of the Library and Historical Commission, and desire to nominate in lieu thereof, Mrs. Edgar E. Witt, of Waco, Texas.

Respectfully submitted,
W. P. HOBBY, Governor.

An Invitation.

The Chair laid before the Senate an invitation from the County Judge of Culberson County to the Legislature to attend an annual barbecue at Van Horn on August 28th, 1919.

On motion of Senator Dudley the invitation was accepted.

Executive Session—Postponed.

At 10:30 o'clock, Senator McNealus moved that the time for executive session be postponed and reset for 10:45 o'clock this morning. The motion prevailed.

Message from the House.

Hall of the House of Representatives,
Austin, Texas, July 21, 1919.
Lieutenant-Governor W. A. Johnson,
President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 48, A bill to be entitled "An Act to amend Article 1202 of the Code of Criminal Procedure of the State of Texas of 1911 as amended by Section 8 of Chapter 112 of the Acts of the Regular Session of the Thirty-third Legislature, approved April 2nd, 1913, and as amended by Chapter 91 of the Acts of the Regular Session of the Thirty-sixth Legislature, so as to fix the salaries of Probation officers in this State, and to re-enact said Article as amended by said Section 8 of Chapter 112 of the Acts of the Regular Session of the Thirty-third Legislature and declaring an emergency."

With amendments.

S. B. No. 36, A bill to be entitled "An Act making it the duty of all owners or operators of oil or gas wells to keep books, showing accurately the amount of oil and gas produced and disposed of, with the price for which the same was sold, together with the receipts from the sales or transfer of leases or other property, and the disbursements made in connection with, or for the benefit of such business; which books shall be kept open for the inspection of the Railroad Commissioners or any accredited representative thereof, and of any stockholder or shareholder or royalty owner in said business, and requiring such owner or operator of such oil or gas wells to report such information to the Railroad Commission of Texas for its information only, when required by the Commission to do so; further requiring any person,

firm, partnership, joint stock association, corporation or other organization, domestic or foreign, operating wholly or partially within this State acting as principal or agent for another, for the purpose of drilling, owning or operating any oil or gas well, or owning or controlling leases of oil and mineral rights or the transportation of oil or gas by pipe lines, to immediately filed with the Railroad Commission of Texas, at Austin, the name of the company or organization, giving the name and postoffice address of the organization, and the names or postoffice addresses of the officers and directors thereof; fixing the penalty for the violations of the provisions of this Act; fixing the salary of each railroad Commissioner for the additional services required of said Commissioners in the administration and enforcement of the pipe line law and the oil and gas conservation law; providing the manner of payment thereof and designating the fund from which such salaries and other necessary expenses shall be paid; and declaring an emergency."

With amendments.

S. B. No. 56, A bill to be entitled "An Act to lease islands, salt water lakes, bays, inlets, reefs and marshes owned by the State within tide water limits and that portion of the Gulf of Mexico within the jurisdiction of the State of Texas, for the production of oil and natural gas; authorizing the Commissioner of the General Land Office to adopt necessary rules and regulations in relation thereto; prescribing the terms upon which leases may be issued; providing for the advertisement of the areas before they are leased; prescribing the requirements for applications; providing for the recognition or abandonment of former surveys; prescribing how and when royalty shall be paid; appropriating the proceeds to the public free school fund and the Game, Fish and Oyster fund; creating a first lien in favor of the State; providing for off-set wells; providing against pollution of water and authorizing the Game, Fish and Oyster Commissioner to enforce rules against such pollution; providing that leases may be transferred or relinquished to the State; providing for forfeiture of leases if the owner should fail or refuse to comply with the law and

rules and regulations adopted relative thereto, providing for opening of roads asways of ingress and egress to and from leased areas; providing for the protection of valid rights heretofore acquired, and declaring an emergency."

S. B. N. 57, A bill to be entitled "An Act to make certain emergency appropriations out of the general revenue for the several institutions and departments of the government for the fiscal year ending August 31, 1919, and declaring an emergency."

With amendments.

S. B. No. 130, A bill to be entitled "An Act to make certain emergency appropriations out of the general revenue for the Texas Ranger Force for the fiscal year ending August 31, 1919: and declaring an emergency."

S. B. No. 151, A bill to be entitled "An Act to amend Section 1, 2, 3, 4, 20 and 23 of Chapter 76 of the Regular and Special Laws of Texas enacted at the Regular, First and Second Called Sessions of the Thirty-first Legislature and known as an Act to create a more efficient Road System for Rusk County, Texas, etc.; providing for the appointment of Special Road Commissioners for Rusk County; providing for their qualifications; prescribing their powers and duties, authorizing the right of eminent domain for road purposes; providing a method for paying accounts out of and handling the moneys received from bonds heretofore issued; automobile taxes, State and Federal aid; validating bonds heretofore issued or that may hereafter be issued; providing that this Act be cumulative, and declaring an emergency."

With amendments.

S. B. No. 155, A bill to be entitled "An Act to authorize and empower Kerr county or any political subdivision or any defined district now or hereafter to be described and defined of said county, etc., by a vote of a two-thirds majority of the resident property tax payers, qualified voters of such county or political subdivision, or any defined district now or hereafter to be described and defined thereof, voting thereon, to issue bonds to any amount not exceeding one-fourth of the assessed valuation of the real property of such county or of such political subdivision or any defined district now or hereafter to be described and de-

fined, and to levy and to collect taxes to pay the interest on such bonds and to provide a sinking fund for the redemption thereof, for the purpose of constructing, maintaining and operating macadamized, graveled or paved roads and turnpikes or in aid thereof and providing ways and means of conducting and supervising said work: providing for appointment of a board of road commissioners and their duties; and repealing the Kerr county road law passed by the Regular Session of the Thirty-sixth Legislature of the State of Texas, known as Senate Bill No. 22, and declaring an emergency."

S. B. No. 156, A bill to be entitled "An Act making appropriations to pay miscellaneous claims against the State, authorizing the payment of said miscellaneous items on the taking effect of this Act; making additional appropriations for the support of the State Government, for the fiscal year ending August 31, 1920 and August 31, 1921, and declaring an emergency."

With amendments.

S. B. No. 158, A bill to be entitled "An Act to create the Bailey Independent School District No. 36 in Fannin County, Texas, designating its territory, etc., and declaring an emergency."

S. B. No. 159, A bill to be entitled "An Act to repeal all Special Road laws heretofore enacted for Burnet County, Texas, and to specifically repeal Chapter 36 of the Special Laws of the Regular Session of the Thirty second Legislature, 1911. Adopting the provisions of Chapter 2, Title 18 of Session 1911, and amendments thereto for Burnet County, Texas, and any political subdivision or defined district therein; validating bond elections heretofore held; and declaring an emergency."

S. B. No. 160, A bill to be entitled "An Act to amend Chapter 79, page 202 of the General Laws of the Regular Session of the Twenty-seventh Legislature of the State of Texas, approved on the 9th day of April, 1901, entitled 'An Act to create a more efficient road system for Brown County, Texas, etc.' and declaring an emergency."

S. B. No. 91, A bill to be entitled "An Act to amend Article 6292 of the Revised Civil Statutes of the State of Texas of 1911, providing that the Board of Pharmacy shall be en-

titled to charge and collect the following fees: For the examination of an applicant for license as a pharmacist, Five (\$5.00) Dollars; for the examination of an applicant for license as an assistant pharmacist, Two Dollars and Fifty Cents (\$2.50); every registered pharmacist and every assistant pharmacist, who desires to continue in the pursuit of pharmacy, in this State is required annually, after the expiration of the first year of registration, and on or before the first day of January, each year to pay to the Secretary of the Board of Pharmacy a renewal fee to be fixed by the Board which shall not exceed three dollars, in return for which a renewal of registration shall be issued; providing further that the State Board of Pharmacists shall each year turn over to the State Pharmaceutical Association, for the advancement of the science and art of pharmacy out of the annual fees collected by it, such sum as it may deem advisable, but not to exceed two dollars for each pharmacist who shall have paid his renewal fee during said year; said Act providing that said Association shall annually report to said Board on the condition of pharmacy in the State, and providing that all fees for examination shall be paid in advance of such examination, and declaring an emergency."

S. B. No. 92, A bill to be entitled "An Act to amend Section 14, 17, 19, 21, 22, 25, 28, 31, 35 and 40 of Chapter 157 of the General Laws of the Thirty-sixth Legislature, passed at the Regular Session thereof, being 'An Act to preserve, propagate, distribute and protect the wild game, will birds, wild fowl of the State; to provide adequate penalties for the unlawful taking, slaughter, storage, sale, purchase or shipment thereof; to provide for the appointment of Deputy Game Commissioners and fixing their salaries; to define the duties and powers of the Game, Fish and Oyster Commissioner and his deputies; to fix the venue of prosecution under this Act; to provide for the issuance of hunting licenses and prescribe penalties for hunting without a license; to declare that certain moneys shall belong to special Game Fund of this State and the disposition to be made of said moneys, and to repeal all laws in conflict here-

with and declaring an emergency'; correcting certain grammatical and typographical errors in said Sections; and by adding thereto, Sections 31-2 and 31-b; providing a closed season on wild female deer and spotted fawns and fixing a limit of three buck deers to be killed during one season by any one person and fixing penalties therefor; providing the manner of transporting lawfully killed deer and fixing penalties for unlawful shipment of deer; and declaring an emergency."

S. B. No. 107, A bill to be entitled "An Act creating the office of Game, Fish and Oyster Commissioner; providing for his appointment; prescribing his qualifications; defining his duties; authorizing the appointment of deputies; prescribing their qualifications; defining their powers and duties; and for the protection of fish, oysters, turtle, terrapin, shrimp, crabs, clams, mussels, lobsters and all other kinds and forms of marine life, in public fresh water, tidal and coast waters of the State and to protect the natural oyster beds and reefs, and to provide for the location of private; beds; prescribing the terms, tax and conditions upon which fish, shrimp, crabs, clams, turtle, terrapin, mussels, lobsters and all other forms and kinds of marine life may be taken from the waters of this State; provided that this Act shall be construed to be a continuation of all former laws upon the subject; and providing that all suits now pending involving laws affected by this Act shall not abate but shall be prosecuted under such former laws and under this Act; fixing the penalties for violations of this Act; and declaring an emergency."

S. B. No. 115, A bill to be entitled "An Act providing that any person who is the owner or keeper of any dog which is accustomed to run, worry or kill sheep or goats who shall permit such dog to run loose or at large after having information that such dog is so accustomed to run, worry or kill sheep or goats, shall be deemed guilty of a misdemeanor and punished by a fine of not more than One Hundred Dollars, or by imprisonment in the County Jail for not more than six months, or by both such fine and im-

prisonment, and declaring an emergency."

With amendments.

S. B. No. 126, A bill to be entitled "An Act to provide for the Live Stock Sanitary Commission of Texas or its authorized representatives to sell the hides of any predatory animals killed under the authority of Chapter 107 of the Acts of the Regular Session of the Thirty-sixth Legislature, and remit such funds to the State Treasurer, and such funds be set apart to be drawn and used by the Live Stock Sanitary Commission for the further eradication of predatory animals, under authority of said Chapter 107; and declaring an emergency."

S. B. No. 114, A bill to be entitled "An Act to amend Sections 1 to 9 inclusive, Chapter 68 of the General Laws of the Thirty-second Legislature, passed at the Regular Session thereof, being an Act to provide for the protection of the fish and oysters within the tide water limits along the Gulf Coast of this State from the most interior point of tidewater seaward co-extensive with the jurisdiction of the State and the fish in such fresh water lakes as may be owned by the State and the fish in such fresh water lakes as may be owned by the State; and to provide for the sale and protection of all marl and sand of commercial value and all shells or mudshell that may be in or upon the bottoms of any lake, bay and shallow water and in or upon all islands, reefs and bars that may be within the limits herein defined; and the placing of said islands, lakes and bays, and the shells or mudshells, sand or bars that may be upon the said bottoms or in or upon the said islands, lakes, bays, reefs or bars, under the jurisdiction and control of the Game, Fish and Oyster Commissioner for the purpose of selling and protecting the shells, mudshells, marl and sand; and providing for the proceeds arising from the sale of said shells, or mudshell, marl and sand, shall be credited to the Fish and Oyster Fund and be expended in the execution of this Act and in establishing fish hatcheries on the coast or elsewhere, and in locating oyster beds, and reserving fresh water lakes from sale; and providing penalties for the violation of this Act, and appropriating to certain funds the proceeds from sale and

finer arising under this Act, and declaring an emergency."

S. B. No. 144, A bill to be entitled "An Act to provide for the protection of the fish and oysters within the water limits along the Gulf coast of this State from the most interior point of tidewater seaward, co-extensive with the jurisdiction of the State and the fish in such fresh water lakes inland as may be owned by the State, and to provide for the sale and protection of all marl and sand of commercial value and all shells or mudshells that may be in or upon the bottoms of any lake, bay, and shallow water, and in or upon all islands, reefs and bars that may be within the limits herein defined; and placing of said islands, lakes or mudshells, sand and marl that may be in or upon the said bottoms or in or upon the said islands, lakes, bays, reefs and bars under the jurisdiction of the same, Fish and Oyster Commissioner, for the purpose of selling and protecting the said shells, mudshell, marl and sand and providing that the proceeds arising from the sale of said shells, or mudshell, marl and sand shall be credited to the Fish and Oyster Fund, and may be expended in the execution of this act, and in establishing Fish hatcheries along the coast or elsewhere and in locating oyster beds, and reserving fresh water lakes from sale, and providing for the violation, of this Act, and appropriating to certain funds the proceeds from sale and fines arising from this Act, and declaring an emergency," providing for reducing the minimum price which may be charged for shell, mudshell, marl and sand and declaring an emergency."

By adding thereto the management, control, sale and protection by the Game, Fish and Oyster Commissioner of all gravel, marl, sand, shell or mudshell that may be in or upon any island, lake, river, creek or bayou within the interior of this State as may not be embraced in any survey or private land; and providing for a refund to any County, sub-division of a county, or city or town of all moneys which may be paid by them for the taking of marl, sand, gravel, shell or mudshell from the public waters of the State, and declaring an emergency."

With amendments.

S. B. No. 161, A bill to be entitled

"An Act to create a more efficient road system for Red River County, Texas, adopting certain provisions of Chapter 2, Title 18, Revised Civil Statutes of 1911, as amended and added to by Chapter 203, Acts of the Regular Session of the Thirty-fifth Legislature, and Chapter 18 of the Fourth Called Session of the Thirty-fifth Legislature, except as herein provided, etc. Providing that this Act shall be cumulative of all general laws on the subject treated of herein and of the special road laws of Red River County, except repealing Chapter 31, Special Laws of the Regular Session of the Thirty-fourth Legislature, and declaring an emergency."

S. B. No. 164, A bill to be entitled "An Act making appropriation of the sum of fifteen thousand (\$15,000) dollars, or as much thereof as may be necessary, to pay the contingent expenses of the Second Called Session of the Thirty-sixth Legislature of the State of Texas; providing how accounts may be approved, and declaring an emergency."

S. B. No. 163, A bill to be entitled "An Act to amend Chapter 87 of the Regular Session of the Thirty-sixth Legislature, entitled 'An Act to create a more efficient road law for Delta County and providing for a proper mode for handling funds from the sale of road bonds and for compensation for members of permanent road board, and declaring an emergency.'"

H. B. No. 208, A bill to be entitled "An Act making appropriations for deficiencies in appropriations heretofore made for the support of the State government for the fiscal years ending August 31, 1917, and August 31, 1918, to cover duly authorized deficiency claims registered in the office of the Comptroller of Public Accounts of the State of Texas, in accordance with law, and declaring an emergency"

H. B. No. 229, A bill to be entitled "An Act making additional appropriation to pay the per diem and mileage of the members and the per diem of the officers and employees of the Second Called Session of the Thirty-sixth Legislature of the State of Texas, convened on the 23rd day of June, 1919, by proclamation of the Governor; providing how accounts may be approved, and declaring an emergency."

S. B. No. 61, A bill to be entitled "An Act to amend Article 2909-(f), Title 48, Chapter 20 of the Revised Civil Statutes of the State of Texas so as to provide that any text-book contractor shall make a bond of twenty thousand dollars (\$20,000.00) for each basal text book adopted, and three thousand dollars (\$3,000.00) for each supplementary text book adopted; providing that the contract and bond shall be prepared by the Attorney General, payable in Travis County; providing that the bond may be sued upon from time to time; providing that the Text Book Commission, may, upon twenty days' notice, require a new bond to be given."

S. B. No. 64, A bill to be entitled "An Act to amend Article 5684 of the Revised Civil Statutes of 1911, so as to limit the time in which a person under twenty-one years of age, not in the military or naval service of the United States, in time of war, or of unsound mind, or imprisoned, may institute suit for the recovery of real estate, and by adding after said Article a new Article, to be known as Article 5684a, so as to provide that a person having the peaceable and adverse possession of lands, tenements or hereditaments, the title to which has passed out of the State, using and enjoying the same, under deed or deeds duly recorded constituting a regular chain of title, for a period of twenty-five years, shall be conclusively presumed to have an incontestible and good marketable title thereto, providing for proof of possession, and declaring an emergency"

S. B. No. 65, A bill to be entitled "An Act to amend Article 1206 of the Revised Civil Statutes of 1911, so as to provide that the dissolution of a corporation shall not operate to abate any pending suit and so as to provide that suit may be maintained against the corporation as though the same had not been dissolved and service of process obtained on the President, directors, general manager, trustee, assignee, or other person in charge of the affairs of such corporation at the time it was dissolved, and providing that the assets of said corporation shall be subject to the payment of judgments and declaring an emergency."

S. B. No. 76, A bill to be entitled "An Act to authorize the sale of certain lands and flats in and under

the waters of Matagorda Bay, belonging to the State of Texas; to provide the conditions and the terms of the purchase thereof and for the issuance of permits and patents therefor; to authorize the dredging, deepening, widening and maintaining of channels through and across said lands and flats; and providing that from and after the filing of an application for the purchase of said lands and flats, the Commissioner of the General Land Office shall not receive any applications for permit to prospect for petroleum, oil or natural gas, in, on, or under the area of the waters included in such application or any part thereof, and that such Commissioner shall not grant any right to prospect for such minerals in, on or under said area, and providing that the State shall and does reserve all the minerals that may be within the area; and declaring an emergency."

With amendments.

S. B. No. 131, A bill to be entitled "An Act to amend Article 1606, Chapter 5, of the Revised Civil Statutes of Texas of 1911 as amended by an Act approved February 24, 1905, by the Twenty-ninth Legislature Regular Session, relating to the employment and salaries of stenographers of Courts of Civil Appeals, and fixing the salaries of stenographers of Courts of Civil Appeals, and declaring an emergency, and providing that the Act take effect from its passage, and repealing all laws or parts of laws in conflict with the provisions of this Act."

S. B. No. 80, A bill to be entitled "An Act to amend Chapter 57 of the General Laws of the State of Texas, passed at the Regular Session of the Thirty-fifth Legislature of Texas relating to County Libraries; and declaring an emergency."

S. B. No. 83, A bill to be entitled "An Act to define and regulate the practice of veterinary medicine, surgery and dentistry; creating a Board of Veterinary Medical Examiners for the examining and licensing of veterinary physicians and surgeons, dentists, and prescribing their powers, duties, and qualifications; providing for the proper registration of veterinary physicians, surgeons and dentists, and providing for the revocation of their licenses and fixing suitable penalties for the violation of this Act, repealing Chapter 76 of the Acts of the

Regular Session of the Thirty-second Legislature and all laws and parts of laws in conflict herewith, and declaring an emergency."

S. B. No. 85, A bill to be entitled "An Act to amend Chapter 150 of the laws of the Thirtieth Legislature of the State of Texas, 1907, by adding Section 91, providing that under emergency conditions, transfers of the State School apportionment of a child of school age may be made from any county of the State to any other county of the State, with the approval of the State Superintendent and of the State Board of Education, and that children so transferred shall share in the apportionment of the county funds of the county to which they are transferred, and declaring an emergency."

S. B. No. 86, A bill to be entitled "An Act to amend Chapter 104, Acts of the Thirty-fifth Legislature, 1917, and providing for registration and statistical reports of teachers, superintendents, principals and other school officers in all schools supported wholly or in part by the State of Texas, and providing for the withholding of the salary of said teachers, superintendents, principals and other schools officers until such reports are made, after due notice has been given, providing penalties for failure to comply with the provisions of this Act; and declaring an emergency."

S. B. No. 88, A bill to be entitled "An Act to amend Chapter 1, Title 85, Revised Civil Statutes of Texas, 1911, as amended by Chapter 140, Session Laws of 1913, relating to the Library and Historical Commission by amending Articles 5600, 5601, 5602, 5602a, 5606, 5607 and 5608 and adding Articles 5601a, 5601b, 5601c and 5601b; and declaring an emergency."

S. B. No. 143, A bill to be entitled "An Act making it unlawful for any person, directly or indirectly, to manufacture, sell, barter, exchange, transport, export, receive, solicit, take orders for, furnish or possess, spirituous, vinous or liquors or medicated bitters, capable of producing intoxication, or other intoxicant whatever, or any equipment for making any liquor except for medicinal, methanical, scientific, or sacramental purposes; declaring it unlawful for any person, directly or indirectly, to manufacture, sell, barter, exchange, transport, export, receive, deliver or take orders for,

furnish or possess, any spirituous, vinous or malt liquors, or medicated bitters, or any potable liquor, mixture or preparation, containing in excess of one per cent of alcohol by volume or equipment for making such liquors except for medicinal, mechanical, scientific or sacramental purposes; declaring that the words "intoxicating liquors" or "liquors" shall be held to include and comprehend all liquors just previously mentioned; and declaring what liquors are included in the liquors just mentioned defining the word "person" to include both natural persons and corporations; specifying those who are exempt from the operation of this Act as it relates to liquors for medicinal, mechanical, scientific and sacramental purposes; providing for the issuance of permits in relation to liquors by the Comptroller in regulating and defining those who may receive such permits, what may be done thereunder, and prescribing the rights and duties of the Comptroller with reference thereto; prescribing the rules and regulations with reference to the right of physicians to prescribe alcohol for medicinal purposes; how same may be prescribed; fixing the rules governing the entire matter; fixing the rights and duties of the common carrier with reference to liquors in the bill; prescribing all rules and regulations with reference to them and their agents and servants; prescribing various duties of the Comptroller of Public Accounts with reference to this Act, conferring certain authority upon him with reference to its enforcement; prescribing the place where deliverance of intoxicants shall be made where shipped by carriers; prohibiting advertising of intoxicating liquors and conferring certain authority upon officers relative thereto; prescribing certain duties for all persons who have in possession intoxicating liquors; making it unlawful to advertise, sell, deliver or possess any preparation in which liquors as a beverage, may be made or any formula directions, or recipes for making such liquors; providing, in certain instances, for regulating the transportation of intoxicating liquors as defined in this Act; providing and regulating orders for intoxicating liquors; authorizing cause of action on behalf of certain persons who may be injured in their person

or property or means of support by acts in violation of this Act; declaring that no property rights shall exist in liquors manufactured or sold or kept for sale in violation of law; making it unlawful for any person to purchase or receive liquors in violation of this Act; making it unlawful to rent to another or to keep or be in any way interested in any premises, building, room, boat or place to be used in violation of this Act; declaring all such places common nuisances; authorizing action by the Attorney General and county and district attorney for the abatement of such nuisance; prescribing the law and rules with reference thereto; authorizing search warrant to issue for the purpose of searching for and seizing and destroying intoxicating liquors under certain circumstances and prescribing the rules relative thereto; creating and defining offenses and prescribing the punishment for violation of this Act by both natural persons and corporations, and conferring certain authority upon the Attorney General and county and district attorneys with reference to fixing the fees of the district and county attorneys for convictions under this Act and for fees where penalty suits are brought hereunder, authorizing the Attorney General to enjoin the violations of this Act in the name of the State in any district court in Travis County; prescribing venue and jurisdiction thereof and making such remedy cumulative; prescribing the penalties for violating and such injunction; declaring that persons shall not be excused from testifying against those who violate any provisions of this Act; and so that convictions may be had on uncorroborated testimony of a accomplice, declaring that in all suits where action, civil or criminal pending under any law in force when this Act takes effect, may be prosecuted to the final judgment in like manner and with the same effect as though this Act was not passed; declaring that if any provision of this Act be held invalid, all other provisions shall continue in full force and effect; and declaring an emergency."

With amendments.

S. B. No. 157, A bill to be entitled "An Act to create a Board of Examiners of Land Surveyors that shall serve without pay; prescribing their

duties and the subjects in which applicants for land surveyors license shall be examined; providing for the issuance of land surveyor's license for certain causes, and allowing appeals therefrom; providing for the bonding of licensed surveyors; prescribing their duties and fixing their jurisdiction; fixing a maximum compensation; prohibiting such land surveyors from purchasing or being interested in the purchase or acquisition of any public land; either directly or indirectly; prescribing a penalty for violations of this Act; repealing all laws in conflict herewith, and declaring an emergency."

S. B. No. 147, A bill to be entitled "An Act to amend Section 1 of Chapter 147, Acts of the Regular Session of the Thirty-fourth Legislature relating to the duties of tax collectors to prepare and mail notices and statements of delinquent taxes against lands to the record owners thereof; the preparation and perfecting of the delinquent tax records of various counties and the compensation of the collector therefor; relating to the duties of the county and district attorneys in respect to instituting suits for the collection of delinquent taxes and the compensation they shall receive therefor, so as to require and provide that the notices to the record owners of real estate against which taxes are delinquent may be mailed by the tax collector to the addresses of such owners during the months of April and May each year, or as soon thereafter as practicable; and prescribing the contents of such notices; and to amend section 3 of said Chapter so as to provide that the county attorney of each county in the State or the district attorney in counties having no county attorney, shall file suit for the collection of taxes delinquent against any lands or lots situated in such county, together with interest, penalties and cost then due, as soon as practicable after the expiration of 90 days from the date of the notice mailed to the delinquent owner thereof by tax collectors under the provisions of this Act; repealing all laws in conflict herewith; and declaring an emergency."

Has passed:

S. J. R. No. 3, authorizing suit against Oklahoma to settle boundary dispute.

House has adopted.

H. C. R. No. 22, appropriating \$78.00 to hang Gen. McAlexander's portrait.

H. C. R. No. 24, suspending part of Section 11, Joint Rules.

Respectfully submitted,

T. B. REESE,
Chief Clerk, House of Representatives

Bills Read and Referred.

The Chair (Lieutenant Governor Johnson, had referred, after their captions had been read, the following House Bills:

H. B. No. 208, Referred to the Committee on Finance.

H. B. No. 229, Referred to the Committee on Finance.

Senate Bill No. 49—House Amendments Concurred In.

By Unanimous consent, Senator Dean moved to rescind the vote by which the Senate refused to concur in the House Amendments to S. B. No. 49 and elected a conference committee.

The motion prevailed.

The Chair laid before the Senate the House amendments to S. B. No. 49, relating to the Home for Neglected and Dependent Children (See page 570.)

The amendments were read and on motion of Senator Dean the same were concurred in.

Message From the Governor

A message from the Governor was here received, submitting notary appointments for the various counties of the State.

Executive Session.

The Chair announced that the hour, 10:45 o'clock a. m., the hour to which the executive session had been postponed, had arrived, and directed the Sergeant-at-Arms to clear the Chamber of all persons not entitled to remain.

It was accordingly done, and the Senate proceeded to executive session.

The Secretary reported to the

Journal Clerk that the following appointments by the Governor had been confirmed in executive session, to-wit:

Hon. Marion Douglass of Galveston, as a member of the State Board of Public Accountancy, vice Hon-Milton Morris of Austin, resigned.

Hon. A. B. Watkins of Athens, as a member of the State Normal School Board of Regents, vice Hon. W. J. Crawford of Beaumont, resigned.

To be a member of the Library and Historical Commission, Mrs. Edgar E. Witt, vice Mrs. John L. Darrouzet whose name was withdrawn in compliance with request shown in letter on page 662.

The notaries for the various counties as submitted by the Governor today, as follows, to-wit:

FIRST DISTRICT.

Bowie County.

Smelser, Lloyd.....Texarkana

Cass County.

Perfect, O. S.....Paris

SECOND DISTRICT.

Red River County.

Wren, M. L.....Clarksville
Wren, B. D.....Clarksville
Pope, John H.....Clarksville

Hopkins County.

Mathes, N. M.....Sulphur Springs
Pickett, W. I.....Sulphur Springs
Simmons, J. T.....Como
Johnson, A. T.....Saltillo
Pharr, Henry E.....Sulphur Springs
Rogers, E. P.....Sulphur Springs
Harrison, B. W.....Sulphur Springs
Jolly, Mrs. W. I.....Como
Pirkens, E. N.....Sulphur Springs

Franklin County.

Gilbert, M.....Mt. Vernon
Mattinson, Jas. A.....Mt. Vernon
Wilkinson, R. T.....Mt. Vernon
Tibbs, K. P.....Scroggins
Kidwell, J. T.....Mt. Vernon

Delta County.

McMillan, T. E.....Cooper

Titus County.

Hines, B. L.....Mt. Pleasant
Sanders, T. J.....Talco

Jurney, Richard L.....Mt. Pleasant
Wilson, John A.....Talco
Cook, Dan M.....Mt. Pleasant

THIRD DISTRICT.

Fannin County.

Carter, T. F.....Bonham
Gass, Milj Nell.....Bonham
Harris, J. A.....Bonham
Hadley, John.....Bonham
Williams, J. P.....Bonham

Lamar County.

Coffey, P. W.....Paris
Sperry, Clarence.....Paris
Halbert, R. S.....Paris
Simms, C. D.....Paris

FOURTH DISTRICT.

Cooke County.

Jones, Emma.....Gainesville
O'Brien, M. S.....Gainesville

Grayson County.

Bentley, Bessie.....Sherman
Bryant, Randolph.....Sherman
Coff, T. E.....Sherman
Gresham, O. S.....Sherman
Mason, Harrell C.....Sherman
Parker, Mrs. Pearl.....Sherman
Rainwater, Josephine.....Sherman
Smith, Tom H.....Sherman
Swank, Jno. L.....Denison
Thompson, D. S.....Sherman
Wilson, Mary N.....Denison

FIFTH DISTRICT.

Hunt County.

Reeves, Ott Jr.....Greenville
Arnold, E. E.....Greenville
Weeden, W. C.....Greenville
English, John L.....Greenville
Finley, Eugene.....Greenville

Collin County.

Roberts, J. C., Jr.....Farmersville
Brown, W. L.....Allen
Yarbrough, A. P.....Renner

SIXTH DISTRICT.

Dallas County.

Banks, Elizabeth.....Dallas
Bailey, J. W.....Dallas

Beard, Mrs. W. Joe.....	Dallas
Bigger, D. C.....	Dallas
Carver, Sammie.....	Dallas
Cauley, Miss Beulah E.....	Dallas
Cathey, Max.....	Cedar Hill
Charlton, S. A.....	Dallas
Cowan, J. B.....	Dallas
Collins, Joseph.....	Dallas
Crow, J. B.....	Dallas
Cramer, Wm. M.....	Dallas
Criddle, John.....	Dallas
Crossman, C. D.....	Dallas
Crook, W. W.....	Dallas
Cuthbertson, S. B.....	Dallas
Cowen, John L.....	Dallas
Crossman, Jerome K.....	Dallas
Cocke, C. M.....	Dallas
Daugherty, G. O.....	Dallas
Davenport, James H.....	Dallas
Donham, Miss Cleo.....	Dallas
Dyer, Arthur P.....	Dallas
Dent, D. C.....	Dallas
Davis, W. M.....	Dallas
Ellis, Frank.....	Mesquite
Ellis, King T.....	Lancaster
Ferguson, W. O.....	Dallas
Gannon, Galus G.....	Dallas
Goldman, D. D.....	Dallas
Graham, Miss Rena.....	Dallas
Hardy, David W.....	Dallas
Herron, P. J.....	Dallas
Holmes, C. N.....	Dallas
Miller, John.....	Dallas
Hannon, E. G.....	Dallas
Houston, H. B.....	Dallas
Hill, Walter N.....	Dallas
Hill, J. H.....	Dallas
Jernigan, Fred S.....	Dallas
King, Ernest.....	Dallas
Lankford, R. G.....	Dallas
Lund, Oscar.....	Dallas
Looney, E. G.....	Dallas
Luna, W. B.....	Dallas
Littlefield, Estelle.....	Dallas
MacNicoll, Harry.....	Dallas
Moran, J. J.....	Dallas
McKinney, Ida Belle.....	Dallas
Megrail, Lewis H.....	Grand Prairie
Martin, W. P.....	Dallas
Mitchell, C. S.....	Dallas
Norrell, Miss Beatrice.....	Dallas
Nolley, N. W.....	Dallas
Parrish, Miss Faye.....	Dallas
Paris, Miss J. A.....	Dallas
Prendergast, Mrs. M. L.....	Dallas
Quillon, Robt. S.....	Dallas
Reppert, Vernice W.....	Dallas
Rhodes, E. W.....	Dallas
Rambo, Mrs. Annie M.....	Dallas
Randle, Miss Marguerite.....	Dallas
Rathmel, Miss Nan.....	Dallas
Ray, J. H.....	Dallas
Read, Miss Kate.....	Dallas
Settle, Chas.....	Dallas
Sibley, Clarence.....	Dallas
Seale, Ford.....	Garland
Turner, Fred H.....	Dallas
Thompson, Miss Emma E.....	Dallas
Urquidi, Miss Juanita.....	Dallas
Vogel, Robert.....	Dallas
Walsh, W. S.....	Dallas
Webb, J. C.....	Dallas
Webb, Rebecca.....	Dallas
Watson, W. E.....	Dallas
Weems, Sam R.....	Dallas
Weaver, C. C.....	Dallas
Yeager, B. W.....	Dallas
Ziegelmeier, J. E.....	Dallas
Van Deman, E. B.....	Dallas
Crooks, Miss Emma.....	Dallas
Maxwell, O. A.....	Dallas
White, Miss Aleene.....	Dallas
Cannon, Gaines G.....	Dallas
Ellis, King T.....	Dallas
Moon, John B.....	Dallas
Topletz, Levi.....	Dallas

SEVENTH DISTRICT.

Van Zandt County.

Curtis, E. M.....	Wills Point
Long, John M.....	Wills Point
Dawson, A. B.....	Wills Point
Curtis, R. W.....	Wills Point
Bacon, T. R.....	Wills Point
Gilchrist, H.....	Wills Point
Meredith, A. W.....	Wills Point
Peace, H. M.....	Wills Point
Terry, C. C.....	Wills Point
West, Earnest.....	Edgewood

Upshur County.

Mell, Mrs. Eugenia C.....	Gilmer
Garrett, W. J.....	Gilmer
Glezen, Irene.....	Gilmer
McIntosh, D.....	Bettie

Wood County.

Burkett, Ellis.....	Mineola
Britton, Baron S.....	Quitman
Howell, R. B.....	Winnsboro
Moore, C. W.....	Winnsboro
Phillips, J. D.....	Mineola
Smith, Richard C.....	Quitman
Revelle, C. E.....	Mineola
Vickers, O. B.....	Winnsboro
Harrison, Perry E.....	Quitman

Camp County.

Whitus, I. A.....	Pittsburg
Carson, Geo. T.....	Pittsburg
Shelby, Cator.....	Leesburg
Turnage, W. I.....	Pittsburg

Smith County.

Taylor, Frank.....Tyler
Walker, Henry.....Tyler
Seay, W. H.....Tyler
Roosth, Mrs. Bertha.....Tyler

EIGHTH DISTRICT.**Gregg County.**

Hurst, J. H.....Longview
Sparkman, J. R.....Longview
Espy, Bertram.....Longview
Espy, Bertran.....Longview
Barton, J. C.....Longview
Harden, A. P.....Longview
Leak, Jack G.....Longview

Harrison County.

Sikes, W. H.....Marshall
Pound, E. M.....Marshall

Panola County.

Biggs, J. I.....Carthage

Rusk County.

Cunningham, Russell D...Henderson
Culp, F. C.....Henderson
Sallee, Mrs. Lillian O....Henderson

Shelby County.

Hooker, Edgar W.....Center

NINTH DISTRICT.**Henderson County.**

Richardson, C. E.....Athens

Kaufman County.

Winne, Toddie Lee.....Kaufman
Wilson, W. J.....Kamp
Cate, M. F.....Terrell
King, E. V.....Terrell
Golightly, E. T.....Rosser
Curtis, E. M.....Wills Point
Long, John M.....Wills Point

Navarro County.

Tramel, W. G.....Kerens
Langston, Walter G. Blooming Grove

TENTH DISTRICT.**Hill County.**

Brannan, Miss Ruby.....Hillsboro
Averitte, J. J.....Hillsboro
Bellah, J. A.....Aquilla

Ellis County.

Peden, J. G.....Milford
Evans, Joe.....Waxahachie
Griffin, Robert B.....Waxahachie
Marchbanks, Owen.....Ennis
Newton, T. E.....Waxahachie
Adkins, C. O.....Waxahachie
Dorsey, B. F.....Waxahachie
Whiteside, Charles E...Waxahachie
Bullard, Mary.....Waxahachie
Crews, B. F.....Waxahachie

Johnson County.

Haley, Mrs. Harriet.....Cleburne
Kilpatrick, J. I., Jr.....Cleburne
Brooks, Miss Lila.....Cleburne
Miller, Carl G.....Alvarado

ELEVENTH DISTRICT.**Falls County.**

Barnett, Roman.....Marlin
Crosby, D. C.....Rosebud
Kennedy, M. H.....Perry
Vaughan, John L.....Rosebud

McLennan County.

Crisler, C. Wesley.....Waco
Crosgrove, Miss Letha.....Crawford
Fullerton, Miss Dorris.....Waco
Gerecke, H. E.....Waco
Harrell, E. A.....Waco
Walton, D. N.....Waco
McElroy, Howard D.....Waco
Price, A. C.....Waco
Jones, Jim.....Waco

Milam County.

Matocha, B. P.....Cameron

TWELFTH DISTRICT.**Limestone County.**

De Witt, R. B.....Groesbeck
Kennedy, O.....Mexia
Moore, E. J.....Personville
Robbins, W. P.....Personville

Robertson County.

Moore, J. W.....Bremond

THIRTEENTH DISTRICT.**Anderson County.**

Frizzell, Bonner.....Palestine
Williamson, S. J.....Palestine
Hanks, Alpheus.....Palestine
White, B. F.....Palestine

Angelina County.

Carson, Miss Byrd L.....Lufkin
 Havord, Jerry M.....Mott
 Hicks, J. E.....Lufkin
 Masingill, Alvin R.....Lufkin
 Thompson, Clyde.....Diboll
 Victory, O. M.....Lufkin

Cherokee County.

Secord, S. B.....Rusk
 Templeton, A. F.....Jacksonville

Houston County.

Brinkman, John A.....Crockett
 Collins, Thos. B.....Crockett
 Ellis, J. M.....Crockett
 McCullough, D.Crockett
 Moore, E. E.....Crockett
 More, John I.....Crockett
 Morrison, H. L.....Crockett
 Powell, J. H.....Grapeland
 Shepherd, H. W. L.....Grapeland

Trinity County.

Hensley, Wm. H.....Groveton
 Jopling, C. C.....Trinity

FOURTEENTH DISTRICT.**Newton County.**

Lewis, A. J.....Deweyville
 Allbritton, G. E.....Newton

Jasper County.

Allbritton, J. F.....Jasper
 Henderson, D. M.....Jasper

Liberty County.

Anderson, Marvin A.....Cleveland
 Smith, Everitt.....Cleveland

Jefferson County.

Erwin, E. L.....Port Arthur
 Friedel, Elsie.....Port Arthur
 Camak, E. J., Jr.....Port Arthur
 Tucker, Robert W.....Port Arthur
 Booker, F. A.....Port Arthur
 Gallagher, Frank J.....Beaumont
 Heckman, L. B.....Port Arthur
 Brooks, Miss Zide.....Beaumont
 Hillard, Miss Alice W..Port Arthur
 Benedetto, Nonnie D.....Beaumont
 Serifino, J. P.....Beaumont
 Cheesman, Guy W.....Beaumont
 Patterson, E. B.....Beaumont
 Sager, F. E.....Beaumont
 Carroll, Geo. W. Jr.....Beaumont
 Brown, Thomas.....Beaumont
 Coley, Miss Alma L.....Beaumont

Orange County.

Hart, Lamar.....Orange
 Malone, Joseph H.....Orange
 Vining, M. L.....Orange
 Vining, Morgan.....Orange
 Kenney, S. E.....Orange

Hardin County.

Brackin, W. M.....Votaw

Tyler County.

Freeman, Miss Leta.....Woodville
 Jordan, D. B.....Spurger

Nacogdoches County.

Russell, A. T.....Nacogdoches
 Bates, J. W.....Nacogdoches
 Bates, W. B.....Nacogdoches

San Augustine County.

Harvey, J. E.....Macuen

FIFTEENTH DISTRICT.**Montgomery County.**

Reinhardt, O. L.....New Cancy

Walker County.

Davis, C. W.....Phelps
 Kilgore, J. E.....Huntsville

SIXTEENTH DISTRICT.**Harris County.**

Ashe, Jno. B.....Houston
 Buens, P. L.....Houston
 Bradley, A. H.....Houston
 Bryan, F. A.....Houston
 Brown, Lola.....Houston
 Bartlett, Mary C.....Houston
 Bims, Katie V.....Houston
 Busch, W. T.....Houston
 Cone, Ben F.....Houston
 Cousins, R. B.....Houston
 Cousins, W. K.....Houston
 Cruse, A. R.....Pasadena
 Drysdale, M. J.....Houston
 Drysdale, Alice.....Houston
 Drexel, William R.....Houston
 Lignan, Laurence E.....Houston
 Eads, Clyde.....Houston
 Embry, Geo. C.....Houston
 Davis, W. L.....Houston
 Gossett, E. F.....Houston
 Herrin, J. R.....Houston
 Hatchett, Shelton.....Houston
 Jones, Mrs. Mollie S.....Houston
 Jackson, J. M.....Houston

Logan, Sally Kate.....Houston
 Mack, Perry C.....Houston
 Moseley, Jesse E.....Houston
 Millard, O. C.....Houston
 Niemtschk, C. A.....Houston
 Neal, J. R.....Houston
 Orrell, S. C.....Houston
 Puckett, Juanita.....Houston
 Parks, R. E.....Pasadena
 Riordan, S. E.....Houston
 Rook, J. O.....Houston
 Settegast, Mrs. Mamie A...Houston
 Stuchlik, J. C.....Crosby
 Tyner, Mrs. Ellen.....Houston
 Wilkins, O. L.....Houston
 Walls, H. D.....Houston
 Ware, W. B.....Houston
 Wunderlich, F. H.....Houston
 MacLaughlin, Guy.....Houston
 Payne, W. A.....Houston
 Moore, A. R.....Houston
 Goss, Miss A.....Houston
 Smith, J. W., Jr.....Houston
 Reid, W. Roy.....Houston

Waller County.

Hawkins, J. W.....Hempstead
 Roberts, L. L.....Waller

Fort Bend County.

Downen, A. P.....Rosenberg
 McFarlane, C. I.....Richmond
 Myers, August E.....Richmond

SEVENTEENTH DISTRICT.

Chambers County.

Sherman, Gerald C.....Wallisville

Brazoria County.

Enlow, Floyd.....Angleton

Wharton County.

Barclay, S. P.....Wharton
 Floyd, M. S.....Iago

Galveston County.

Ameras, Felix G.....Galveston
 Barry, R. H.....Galveston
 Campbell, Marcus A.....Galveston
 Granger, G. W.....Galveston

EIGHTEENTH DISTRICT.

Austin County.

Glenn, C. C.....Sealy

Colorado County.

Drapela, John F.

Fayette County.

Reis, Irene
 Hruska, W. C.
 Lidiak, Frank J.
 Menefee, George Q.....Flatonia
 Shelburne, S. A.....West Point

NINETEENTH DISTRICT.

Bastrop County.

Rabb, V. S. Jr.Smithville

TWENTIETH DISTRICT.

Travis County.

Potts, Mabel.....Austin
 Monts, W. A.....Austin
 Kellum, T. B.....Austin
 Porter, J. O.....Austin
 Beggett, S. G.....Austin
 Miller, A. O.....Austin
 Kunz, Neta.....Austin
 Birge, W. S.....Austin
 Aday, Miss Iva.....Austin
 Hawkins, Mrs. Loretta J....Austin
 Smith, Mrs. Katherine.....Austin
 Radkey, May Bell.....Austin
 Shelton, Earl.....Austin
 Zeller, J. E.....McNeill
 Potts, Maud.....Austin
 Carpenter, Loula.....Austin
 Hunter, J. L.....Austin
 Moon, John B.....Austin
 Vincent, Upshur.....Austin
 Thatcher, Miss F. Kirtley....Austin

Williamson County.

Dotson, S. J.....Taylor
 Luhn, Henry A.....Taylor
 Rowlett, Q.....Taylor
 Ryan, Chas. K.....Beaukias
 Lundelius, G. R.....Round Rock
 Stockton, Jno. J.....Leander
 Craven, Eunice E.....Leander
 McCaffty, S. F.....Leander

TWENTY-FIRST DISTRICT.

Callwell County.

Gambrell, Tom.....Lockhart
 Smith, Frank R.....Lockhart

Comal County.

Faust, Jerome.....New Braunfels
 Heinen, Emil.....New Braunfels
 Roessing, G. H.....New Braunfels

Gonzales County.

Fly, J. T.....Gonzales

TWENTY-SECOND DISTRICT.**Atascosa County.**Duncan, D. A. N.....Jourdanton
Stewart, D. L.....McCoy**DeWitt County.**LeSage, Irven.....Cuero
Murray, J. T.....Yorktown
Schorre, Fritz A. Jr.....Cuero
Schmidt, Otto H.....Cuero**Jackson County.**Mauritz, Jennie.....Ganado
McNeil, Cornelia.....Edna**Bee County.**

Lacks, Margaret.....Beeville

Live Oak County.

Junker, J. E.....George West

Nueces County.

Becker, Jas. A.....Corpus Christi

TWENTY-THIRD DISTRICT.**Cameron County.**Jones, Miss E. R.....San Benito
Whipple, H. H.....Los Fresnos**Duval County.**

Momeny, J. M.....Benavides

Hidalgo County.Adair, Ida.....Edinburg
Robertson, A. T.....McAllen**Jim Wells County.**

Broeter, I.....Alice

Kleberg County.

Whitcomb, B. A.....Riviera

Nueces County.

Farley, R. E.....Port Aransas

Webb County.Greer, James M.....Laredo
Porter, I. A.....Laredo**TWENTY-FOURTH DISTRICT.****Bexar County.**Adams, Mary Elizabeth..San Antonio
Bates, W. P.....San Antonio
Beckman, Mrs. Della G..San Antonio
Black, Lillian.....San Antonio
Burum, Eulah E.....San Antonio
Briscoe, J. R.....San Antonio
Bernstein, Helen.....San Antonio
Deardorff, Mrs. Lowmy C.....
.....San Antonio
Felder, L. C.....San Antonio
Gardner, R. J.....San Antonio
Gidney, Jno. M.....San Antonio
Holland, E. L.....San Antonio
Hund, Miss Harriet....San Antonio
Hanes, D. P.....San Antonio
Harris, Van B.....San Antonio
Kercher, Miss Tillie....San Antonio
Hendrick, W. S.....San Antonio
Hall, Merle.....San Antonio
Hall, Bernice.....San Antonio
Klass, C. A.....San Antonio
Loef, Miss Emily.....San Antonio
Marshall, Alfred.....San Antonio
McCormick, Marguerite..San Antonio
Moore, Annamae.....San Antonio
Moore, E. Lynwood....San Antonio
Morris, G. Woodson....San Antonio
Pierce, E. M.....San Antonio
Perez, Genivive.....San Antonio
Quinn, W. A.....San Antonio
Sanchez, Amador.....San Antonio
Scallorn, Thelma.....San Antonio
Seeligson, Lamar G....San Antonio
Small, Grace.....San Antonio
Terrell, Robert W.....San Antonio
Turnbull, Georgia.....San Antonio
White, Louise.....San Antonio
Wilson, Mrs. Mayme E..San Antonio
Wurzbach, C. C.....San Antonio**Gillespie County.**

Brandes, Felix J.....Fredericksburg

Real County.

Tampke, Otto.....Real County

TWENTY-FIFTH DISTRICT.**El Paso County.**Abbott, Ethel S.....El Paso
Abbott, Wm. G.....El Paso
Bull, W. B.....El Paso
Candelaria, P. A.....El Paso
Carr, Dan.....Fabens
Coons, D. G.....El Paso
Etie, Frank J.....El Paso
Gilder, Buena.....El Paso
Hazen, Louise B.....El Paso

Highnote, L. G. El Paso
 Morrison, Norman J. El Paso
 Prenskey, Joseph El Paso
 Sowle, H. M. El Paso
 Vaughan, Mary. El Paso
 Wilson, Ruby. El Paso
 Whiteside, M. Pearl. El Paso
 Whiteside, M. P. Earl. El Paso

Brewster County.

Burcha, W. D. Alpine
 Burcham, W. D. Alpine

Hudspeth County.

Millican, L. R. Alamo
 Parker, S. H. Alamo

Medina County.

Burgin, Kate. Yancy

Menard County.

Fenley, Willie Menard

Reeves County.

Richburg, F. P. Pecos
 Tarlton, J. M. Pecos

Sutton County.

Decker, Frank. Sonora
 Lowrey, Grady. Sonora

Terrell County.

McKay, Cyril. Dryden
 Stansell, Calvin. Sanderson

Tom Green County.

Welge, Matilda. San Angelo

Uvalde County.

Dalrymple, R. W. Uvade City

Val Verde County.

Driskill, Felix. Del Rio

TWENTY-SIXTH DISTRICT.

Brown County.

Calvert, Miss Regina .. Brownwood
 Cunningham, W. M. May
 Wilson, Eugene A. Brownwood
 Munger, Miss Mae. Brownwood

Comanche County.

Byrd, Carwile. Comanche
 Graham, P. E. Comanche
 Mimbish, May G. Comanche

Concho County.

McCollom, J. D. Paint Rock
 Waide, Imogene. Paint Rock

Coleman County.

Cissell, H. D. Fisk

Erath County.

Ballentine, R. M. Stephenville
 Miller, J. W. Stephenville
 McAlister, W. D. Stephenville
 Stout, P. H. Stephenville
 Ward, J. C. Stephenville
 Long, C. B. Stephenville

Mills County.

Fairman, W. E. Goldthwaite
 Peck, J. E. Star

McCulloch County.

Moore, Miss Alleen. Brady
 Elliott, Tom. Brady
 Jordan, H. P. Brady
 Meers, Edith M. Brady
 Thompson, Mary Estelle. Brady
 White, W. J. Brady
 Walker, W. W. Brady

San Saba County.

Inglish, C. G. San Saba

TWENTY-SEVENTH DISTRICT.

Bell County.

Lee, J. M. Temple
 Stansell, D. A. Temple
 Bogart, C. H. Belton

Bosque County.

Nystel, J. P. Meridian
 Waldrop, R. R. Meridian

Coryell County.

Bennett, John. Gatesville
 Bond, J. M. Gatesville
 Caruth, W. T. Gatesville
 Coe, W. O. Copperas Cove
 Bell, H. E. Gatesville

TWENTY-EIGHTH DISTRICT.

Callahan County.

Rowe, E. S. Baird

Eastland County.

Allison, J. C. Eastland
 Ames, Miss A. L. Desdemona

Bailey, J. W.....	Eastland	Taylor, Lytton R.....	Ranger
Barrow, W. E.....	Eastland	Tift, C. F.....	Eastland
Bell, Wiley A., Jr.....	Desdemona	Townsend, F. W.....	Gorman
Blackmon, Nannie.....	Ranger	Trimble, E. L.....	Eastland
Bowers, A. H.....	Ranger	Truly, R. B.....	Eastland
Bransford, J. H.....	Mangum	Tyler, W. E.....	Rising Star
Brantley, A. L.....	Eastland	Vance, Lee R.....	Eastland
Bunch, Edw. J.....	Ranger	Walker, T. S.....	Ranger
Bryant, C. C.....	Ranger	Weeks, Thomas C.....	Ranger
Channesy, W. B.....	Eastland	Wild, Claude, C.....	Cisco
Clapp, Nellie E.....	Eastland	Williams, Stuart L.....	Cisco
Coffee, J. C. M.....	Desdemona	Wood, Mable.....	Ranger
Cormack, J. M.....	Gorman	Parks, T. E.....	Ranger
Crawley, A. E.....	Gorman	White, J. C.....	Ranger
Darroch, J. C.....	Eastland	Benson, W. D.....	Eastland
Davis, Clarence.....	Cisco	Benson, Allie Dean.....	Eastland
Davis, Ralph.....	Eastland	Lancaster, W. E.....	Eastland
Dudley, Minnie H.....	Ranger	Love, Clarence A.....	Eastland
Elliott, C. G.....	Carbon	Murray, Frank R.....	Eastland
Evans, W. L.....	Ranger	Widdon, Mrs. Mabel.....	Desdemona
Finley, F. L.....	Cisco		
Fisher, G. B.....	Eastland	Fisher County.	
Flewellen, L. H.....	Eastland	Hodges, A. W.....	Roby
Hankins, J. F.....	Gorman	Hopson, M. A.....	Roby
Hankins, J. H.....	Ranger		
Harris, Giles.....	Eastland	Garza County.	
Hix, Mrs. Thos. D.....	Eastland	Duckworth, Ira L.....	Post City
Hodges, R. A.....	Ranger		
Holloway, J. B.....	Cisco	Haskell County.	
Hunt, D. G.....	Eastland	Tennyson, Estelle.....	Haskell
Irwin, Wilma.....	Eastland		
Jackson, L. C.....	Eastland	Howard County.	
Jenkins, S. H.....	Eastland	Cofer, Miss L. A.....	Big Springs
Judd, A. E.....	Ranger	Coffee, Lilburn.....	Big Springs
Lankford, Eugene.....	Cisco	Coffman, J. A., Sr.....	Big Springs
Leach, Tom.....	Eastland	Hatch, Miss Nell.....	Big Springs
Levens, J. C.....	Eastland	Rix, W. W.....	Big Springs
Mayfee, Guy L.....	Desdemona	Stephens, Fannie.....	Big Springs
Marks, L. James.....	Ranger		
Martin, A. F.....	Eastland	Jones County.	
McCune, H. L.....	Eastland	Bailey, J. W.....	Anson
McDonald, J. H.....	Cisco	Brophy, Hanes B.....	Stamford
Meek, C. W.....	Nimrod	Chorn, James H.....	Hawley
Menefee, Cole.....	Ranger		
Milheiser, Clarence.....	Ranger	Kent County.	
Millwee, S. H.....	Ranger	Robinson, J. E.....	Jayton
Morgan, Henry.....	Ranger		
Morse, F. C.....	Desdemona	Nolan County.	
Nance, Eli W.....	Rising Star	Cameron, C. E.....	Sweetwater
Neill, D. J.....	Gorman	Fitzgerald, M. K.....	Sweetwater
Nobles, J. L.....	Mangum	Harp, M. L.....	Sweetwater
Owen, Lee.....	Cisco	Ponder, W. E.....	Sweetwater
Perry, F. S.....	Gorman	Sloan, Jno. D.....	Roscoe
Plummer, Comer.....	Eastland	Stafford, Nell.....	Sweetwater
Price, T. L.....	Desdemona		
Reeves, Williams.....	Eastland	Palo Pinto County.	
Roby, Minnie Ramsey.....	Eastland	Barber, Geo. P.....	Mineral Wells
Roby, Chas C.....	Eastland	Callaway, J. J.....	Mineral Wells
St. John, Ralph R.....	Cisco	Cunningham, David Wynne.....	Palo Pinto
Smith, S. B.....	Eastland		
Smith, Claude.....	Eastland	Creighton, J. R.....	Mineral Wells
Soule, Horace.....	Desdemona		
Stewart, Maco, Jr.....	Ranger		
Strayhorn, R. B.....	Eastland		
Sumerlin, C. E.....	Cisco		

Cross, W. O. Mineral Wells
 Johnson, E. G. Mineral Wells
 Pitchford, Louis C. Mineral Wells
 Wadsworth, M. A. Strawn
 Williams, J. P. Palo Pinto

Scurry County

Bynum, T. C. Snyder

Stephens County.

Bailey, J. W. Breckenridge
 Boynton, E. Y. Breckenridge
 Caton, Robert L. Breckenridge
 Coleman, Mrs. J. T. Breckenridge
 Darroch, J. C. Breckenridge
 Davis, Sam W. Caddo
 Ellis, C. M. Breckenridge
 Evans, Jno. F. Breckenridge
 Funk, R. E. Breckenridge
 Girvin, Minnie. Breckenridge
 Greenwood, B. B. Breckenridge
 Hamlin, Carl O. Breckenridge
 Leaverton, H. A. Breckenridge
 Miller, Katherine. Breckenridge
 Sleeper, Ben R. Breckenridge

Stonewall County.

Jowers, V. E. Buffalo

Taylor County.

Brantley, A. L. Abilene
 Kirkman, J. U. Abilene
 Weir, T. C. Abilene
 Morris, C. H. Abilene

Terry County.

Cook, W. G. Brownfield
 Shelton, Lidie L. Brownfield
 Shelton, J. E. Brownfield

Upton County.

Ainsworth, L. W. Rankin

Ward County.

Dyer, Lillian. Barstow

TWENTY-NINTH DISTRICT.

Archer County.

Rowe, Miss Susie C. Archer City

Armstrong County.

McClure, J. T. Claude
 Moore, Q. Claude
 Wilson, Floyd H. Claude
 Boone, Miss Kate. Claude
 Page, Miss Gladys. Claude

Bailey County.

Eubanks, E. C. Maleshoe
 Townsend, W. L. Maleshoe

Childress County.

Brumalow, R. L. Childress

Clay County.

Bell, W. D. Henrietta
 Bell, J. D. Henrietta
 Bird, Paul R. Henrietta
 Holaday, Sybil. Henrietta
 Householder, Sam. Henrietta
 King, A. H. Henrietta
 Martin, G. K. Henrietta

Collingsworth County.

Hite, W. G. Wellington
 Merydith, W. E. Glazier
 Reynolds, L. M. Wellington

Dallam County.

Baker, C. G. Dalhart
 Gamewell, W. I. Dalhart

Donley County.

Andrews, I. B. Clarendon
 Andrews, S. A. Clarendon
 Noel, J. W. Hedley
 Ayers, W. B. Hedley
 Bond, John. Hedley
 Norwood, T. B. Hedley
 Grant, G. R. Jericho
 Goldston, F. L. Jericho
 Lewis, E. L. Lelia Lake

Floyd County.

Hollums, Maud E. Floydada

Gray County.

Anderson, S. L. Pampa
 Duncan, Ivy E. Pampa
 Foster, W. C. McLean

Hale County.

Anderson, J. C. Plainview
 Power, Claude. Plainview
 De Loach, A. B. Plainview
 Prosses, Mrs. Jessie A. Plainview

Hall County.

Guill, A. W. Memphis
 Millam, W. C. Memphis

Hardeman County.

Gibbs, T. Sandford. Chillicothe

Hemphill County.

Bryant, P. V. Canadian
 Hobert, Otis D. Canadian

Jack County.
Spiller, George.....Jacksboro

Knox County.
Covey, E. L.....Goree

Lamb County.
Beard, R. S.....Littlefield

Lipscomb County.
Burran, A. S.....Lourwood
Helton, O. E.....Lourwood

Lubbock County.
Meredith, E. L.....Lubbock

Potter County.
Crudington, John W.....Amarillo
Crudington, H. M.....Amarillo
Dooley, J. B.....Amarillo
Davies, I. H.....Amarillo
Exum, H. E.....Amarillo
Ford, Rena.....Amarillo
Murphy, H. L.....Amarillo
Ramsey, Miss Pearl.....Amarillo
Zimmerman, F. W.....Amarillo

Roberts County.
Fitzgerald, Lee E.....Miami

Wilbarger County.
Haney, E. M.....Vernon
Rogers, E. M.....Vernon
White, S. A.....Vernon

Wheeler County.
Barker, I. E.....Shamrock
Coffee, M. R.....Mobeetie
Durham, H. S.....Mobeetie
Lee, Ethel.....Wheeler
Sanders, D. F.....Wheeler
Wooten, Ben A.....Shamrock

Wichita County.
Arnold, R. F.....Wichita Falls
Byers, L. J.....Wichita Falls
Byers, Joseph H.....Wichita Falls
Boyd, Freda.....Wichita Falls
Beecroft, F. E.....Wichita Falls
Bailey, J. W.....Wichita Falls
Barnes, Curtis H.....Wichita Falls
Barkley, K. C.....Wichita Falls
Bailey, Richard F.....Wichita Falls
Claggett, Ewing.....Wichita Falls
Drake, C. C.....Wichita Falls
Funderburk, W. T.....Wichita Falls
Gilliland, A. W.....Wichita Falls
Gribble, P. T.....Wichita Falls
Garrett, Ella.....Wichita Falls
Green, J. C.....Wichita Falls

Harvey, O. W.....Wichita Falls
Henderson, Miss A. L.....Electra
Johnson, James M.....Wichita Falls
Jensen, A. C.....Wichita Falls
Jones, R. D.....Wichita Falls
Kennedy, Rose L.....Wichita Falls
Lindsay, Virginia.....Wichita Falls
Lynskey, Lena A.....Wichita Falls
Lanfer, M.....Burkburnett
Morgan, S. A. L.....Wichita Falls
Mackechney, W. M. G.....Wichita Falls
Myers, Raymond M.....Wichita Falls
McReynolds, Rex.....Wichita Falls
Mackechney, Jno. R.....Wichita Falls
Oakes, Miss Helen.....Wichita Falls
Pratt, N. W.....Wichita Falls
Payne, Jo Grace.....Wichita Falls
Putty, George T.....Wichita Falls
Robey, Minnie Ramsey.....
.....Wichita Falls
Robey, Chas. C.....Wichita Falls
Snow, Flora.....Wichita Falls
Shirley, H. M.....Wichita Falls
Taylor, Albert L.....Wichita Falls
Vernon, J. A.....Wichita Falls
Williams, James M.....Wichita Falls
Gilliland, S. W.....Wichita Falls
Weatherall, T. T.....Wichita Falls
McCann, Miss Mary.....Wichita Falls
Moore, Mary Lee.....Wichita Falls
Weatherall, W. T.....Electra
McGann, Miss Mary.....Electra
Fitzgerald, W. E.....Wichita Falls
Winfrey, Bess A.....Wichita Falls
Downer, Frank M., Jr.....Wichita Falls
King, Thos. G.....Wichita Falls
Moore, Marion Lee.....Wichita Falls

Young County.
Erwin, R. E.....Graham
Taylor, C. R.....Graham
Park, W. J.....Graham
Hensen, Rose.....Graham

THIRTIETH DISTRICT.

Tarrant County.
Anderson, Jess E.....Fort Worth
Andrews, Nell.....Fort Worth
Arnold, C. S.....Fort Worth
Baker, R.....Fort Worth
Baxter, B. B.....Fort Worth
Balch, Mrs. A. H.....Fort Worth
Beals, Alta.....Fort Worth
Bellamy, W. O.....Fort Worth
Bomar, W. E. B.....Fort Worth
Brooks, D. V.....Fort Worth
Brown, Harry K.....Fort Worth
Browning, H. H.....Fort Worth
Campbell, R. W.....Fort Worth
Chambers, J. R.....Everman
Clark, Helen.....Fort Worth

Cline, Thurman Fort Worth
 Cooke, Clay Fort Worth
 Cross, Mary Fort Worth
 Culbertson, A. T. Polytechnic
 Curry, H. R. Mansfield
 Darter, W. A. Jr. Fort Worth
 Davis, H. A. Fort Worth
 Denham, Albert B. Fort Worth
 Drew, S. M. Fort Worth
 Duffy, John F. Fort Worth
 Durrett, Lillian. Fort Worth
 Estes, J. M. Kennedale
 Felder, W. C. Fort Worth
 Gandy, John E. Fort Worth
 Giddings, Jewel. Fort Worth
 Gillham, Mrs. G. Fort Worth
 Graham, Pearl. Fort Worth
 Griffith, Mary. Fort Worth
 Hammon, Esther. Fort Worth
 Hampton, Ireland. Fort Worth
 Head, C. W. Fort Worth
 Isaacs, L. B. Fort Worth
 Johnson, Barney L. Fort Worth
 Johnson, Margie. Fort Worth
 Jones, Mrs. Cora A. Fort Worth
 Jones, E. M. Fort Worth
 Keith, Lillian. Fort Worth
 Kenton, Georgia A. Fort Worth
 Kneyon, L. M. Fort Worth
 Lambeth, J. M. Fort Worth
 Largent, W. H. Fort Worth
 Lewis, Maud. Fort Worth
 McFadden, Gertrude. Fort Worth
 McKay, George. Fort Worth
 Madlox, Web. Fort Worth
 Margowski, W. S. Fort Worth
 Miller, Jeanette. Fort Worth
 Miller, Mrs. M. C. Fort Worth
 Millican, W. O. Jr. Fort Worth
 Munson, Martin. Fort Worth
 Nuson, Martin. Fort Worth
 Nutt, M. E. Fort Worth
 Peabody, George S. Fort Worth
 Perdue, Amy. Fort Worth
 Peterson, Fred M. Fort Worth
 Phillips, C. A. Fort Worth
 Qualls, R. L. Fort Worth
 Rathgeber, Paul R. Fort Worth
 Redmond, Henry. Fort Worth
 Robertson, Rebel L. Fort Worth
 Robertson, R. L. Fort Worth
 Roddy, Tull G. Fort Worth
 Ross, Thomas A. Fort Worth
 Ryan, Willing W. Fort Worth
 Shaw, Natalie. Fort Worth
 Sheppard, Lynna. Fort Worth
 Shropshire, R. B. Fort Worth
 Smith, W. D. Fort Worth
 Stevens, Amelia. Fort Worth
 Tarlton, Lawrence. Fort Worth
 Teas, S. A. Fort Worth
 Thomas, Irene. Fort Worth
 Thompson, D. C. Everman
 Thompson, John A. Fort Worth

Thornton, H. L. Fort Worth
 Turner, H. A. Fort Worth
 Wall, C. B. Fort Worth
 Warren, O. J. Fort Worth
 Welch, R. J. Fort Worth
 Wells, Mrs. Calla. Fort Worth
 Wilson, F. M. Fort Worth
 Wilsford, Alice. Fort Worth
 Withers, Mrs. V. F. Fort Worth
 Witcher, E. F. Fort Worth
 Wood, C. L. Fort Worth
 Wood, Ossie. Fort Worth
 Zeller, John A. Fort Worth
 Zeplin. Fort Worth
 Isaacs, Sidney. Fort Worth
 Durham, Eva J. Fort Worth

Parker County.

Buchanan, Hall. Weatherford
 Erwin, T. R. Weatherford
 Jones, R. R. Weatherford
 McGarr, Mrs. Alyce. Millsap
 Nealy, T. W. C. Weatherford
 Sandlin, V. E. Weatherford
 Queen, Nolan. Weatherford

THIRTY-FIRST DISTRICT.

Denton County.

Aly, Mrs. E. K. Lewisville
 Bailey, J. W. Denton
 Stover, Miss Mary. Denton
 Wiley, Jas. R. Denton
 Ratliff, L. D. Denton

Montague County.

Savill, C. E. Nocona

Wise County.

Wallace, J. T. Bridgeport

In the Senate.

Lieutenant Governor Johnson in the Chair.

Senate Bill No. 157—Conference Committee Elected.

I move that the Senate do not concur in House amendments to S. B. 157, and that a Free Conference Committee be requested and that the following be appointed to act for the Senate:

Floyd, Carlock, Williford, Witt.
 DOROUGH.

The motion was read and adopted carrying the election of the above committee.

House Concurrent Resolution No. 24

Resolved by the House, the Senate concurring, that the last sentence of Section 11 in Joint Rules be, and the same is hereby suspended for the purpose of considering House Bill No. 29, which is additional mileage and per diem bill, for the purpose of considering House Bill No. 208, being a deficiency bill, and for the purpose of passing S. B. No. 86.

THOMAS.

The resolution was read and adopted

Senate Bill No. 48—Conference Committee Elected.

I move that the Senate do not concur in House amendments to S. B. No. 48 and ask for a free conference and that the following be elected on the part of the Senate.

Caldwell, Page, Carlock, Witt, Hertzberg.

DEAN.

The motion was read and adopted carrying the election of the above named conferees.

Senate Bill No. 156—Conference Committee Elected.

Senator Witt made the following motion:

I move that the Senate refuse to concur in House amendments to S. B. No. 156, and ask for a free conference committee and that the following be elected on the part of the Senate:

Westbrook, Dean, Woods, Hertzberg.

WITT.

The motion was read and adopted, carrying the election of the conferees above named.

Senate Bill No. 114—House Amendments Concurred In.

Senator McNealus called up for consideration of House Amendments to:

S. B. No. 114, amending the General Laws relating to the protection of fish and oysters within tide water limits of the Gulf Coast, etc.

The following House amendments were read:

(1) Amend Senate Bill 114, by striking out all of Section 6 beginning with the words "fish and oyster fund" in line 7 and substituting the following "general fund of the State."

(2) Strike out all of Section 7 and re-number Sections.

(3) Strike out the last four lines of Section 9 after the word "offense".

(4) Amend the caption to correspond with above amendments.

On motion of Senator McNealus the amendments were concurred in.

Senate Bill No. 76—House Amendments Concurred In.

Senator Hall called up for consideration of House amendments.

Senate Bill No. 76, authorizing the sale of certain lands under the waters of Matagorda Bay, etc.

The following House amendments were read:

(1) Amend caption of Senate Bill 76 by adding after the word "lands" in the last line of the caption the following "providing for placing such channels and the charges for the use of same under the jurisdiction of the Railroad Commission."

(2) Amend Senate Bill 76 by adding a new Section 8 and changing Section 8 to Section 9, the new Section to read as follows:

Section 8. If a channel should be dug under the provisions of this Act it shall be open to the ingress and egress of every ship, boat, tug or barge and every other kind of commercial transport upon such terms, rates of charges and conditions as maybe prescribed by the Railroad Commission and the said Commission shall have the same jurisdiction over such channel as is conferred upon it over railroads.

On motion of Senator Hall the above amendments were concurred in by the Senate.

Simple Resolution No. 41.

Whereas, soldiers of the war with Germany, of all commissioned and non-commissioned grades, have addressed the Senate; and,

Whereas, the Senate of Texas, in the Thirty-sixth Legislature, has been highly complimented and honored by the consideration shown this body by

these defenders of a common country; therefore,

Be It Resolved, That Lieutenant Walter D. Hornaday, a soldier of the famous Rainbow Division, who shed his blood on the battlefields of France for his country's dignity and honor and who during the current session has modestly and conscientiously performed his duties at the press table, be requested to address the Senate on the fighting and professional work of newspaper men in the recent war.

McNEALUS.

The resolution was read and adopted.

Senate Bill No. 164.—House Amendment Concurred In.

Senator Westbrook called up for consideration of House amendment to:

S. B. No. 164, contingent expense appropriation for the Second Called Session of the Thirty-sixth Legislature.

The following House amendment was read:

Amend Senate Bill 164 by striking out "Second Called" whenever they occur both in bill and caption and insert in lieu thereof the word "regular."

On motion of Senator Westbrook the above amendment was concurred in.

Message From the House.

Hall of the House of Representatives,
Austin, Texas, July 21, 1919.
Lieutenant-Governor W. A. Johnson,
President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted Conference Committee Report on House Bill No. 5.

Respectfully submitted,

T. B. REESE,

Chief Clerk House of Representatives.

Senate Bill No. 130.—House Amendments Concurred In.

Senator Westbrook called up for consideration of House amendments to:

S. B. No. 130, an emergency appropriation for the State Ranger Force.

The following amendments were read:

Amend by striking out all after the enacting clause and insert in lieu thereof the following:

Section 1. That the following sums be and the same are hereby appropriated out of the general revenue to cover emergency for the purposes herein named, for the Texas ranger force for the fiscal year ending August 31, 1919:

Item 1. Salary: Six captains, at \$150 per month, 2 months, 11 days, \$2130; five sergeants, at \$100 per month, 2 months, 11 days, \$1183.35; sixty-four privates, at \$90 per month, 2 months, 11 days, \$13,732; total, \$17,045.33.

Item 2. Subsistence and Forage: Seventy-five men, at \$30 per month, 2 months, 11 days, \$5325; seventy-five animals (69 horses, 6 packmules), at \$18 per month, 2 months, 11 days, \$3195; total \$8520.

Item 3. Ammunition: Seventy-five men, 1 rifle cartridge per day, at .09, 2 months, 11 days, \$479.25; seventy-five men, 1 pistol cartridge per day, at .04½, 2 months, 11 days, \$239.62; total \$718.87.

Item 4. Railroad transportation (estimated): 2 months, 11 days, \$600.

Item 5. Telephone and Telegraph (estimated): 2 months, 11 days, \$150.

Item 6. House Rent and Lodging (estimated): 2 months, 11 days, \$585.

Item 7. Horseshoeing (estimated): 2 months, 11 days, \$150.

Item 8. Auto upkeep: 2 months, 11 days, \$828.45.

Item 9. Camp equipment, extra allowance for men when traveling, express and freight, stamps, stationery, drayage, necessary expenses for caring for men killed or wounded in action, horses killed or disabled in action 2 months, 11 days, \$1402.35. Total, \$30,000.

Sec. 2. There being no appropriation available out of which to pay the above claim an emergency and imperative public necessity exists which justifies the suspension of the constitutional rule requiring bills to be read on three several days in each house, and that this Act take effect and be in force from and after its passage, and it is so enacted.

On motion of Senator Westbrook

the Senate concurred in the above amendments.

House Bill No. 229.

On motion of Senator Westbrook the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 229 put on its second reading by the following vote:

Yeas—25.

Alderdice.	Hall.
Bailey.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Smith.
Clark.	Strickland.
Cousins.	Sulter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

Absent.

Rector.

Absent—Excused.

Bledsoe.	Johnston.
Dayton.	Parr.
Gibson.	

The Chair laid before the Senate on second reading:

H. B. No. 229, A bill to be entitled "An Act making additional appropriation to pay the per diem and mileage of the members and the per diem of the officers and employes of the Second Called Session of the Thirty-sixth Legislature of the State of Texas, convened on the 23d day of June, 1919, by proclamation of the Governor; providing how accounts may be approved, and declaring an emergency."

The Senate rule requiring that Committee report lie over for one day was suspended.

The Committee report that the bill be not printed was adopted.

The bill was read second time and passed to third reading.

On motion of Senator Westbrook the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 229 put on its third reading and final passage by the following vote:

Yeas—25.

Alderdice.	Hall.
Bailey.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Smith.
Clark.	Strickland.
Cousins.	Sulter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

Absent.

Rector.

Absent—Excused

Bledsoe.	Johnston.
Dayton.	Parr.
Gibson.	

The bill was laid before the Senate, read third time, and on motion of Senator Westbrook was passed by the following vote:

Yeas—25.

Alderdice.	Hall.
Bailey.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Smith.
Clark.	Strickland.
Cousins.	Sulter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

Absent.

Rector.

Absent—Excused.

Bledsoe.	Johnston.
Dayton.	Parr.
Gibson.	

Simple Resolution No. 42.

Whereas, the audit of the Treasury Department has not been completed but that the work is being continued; and

Whereas, it is necessary to complete the audit before any report can be made by your committee which would correctly show the condition of said Treasury Department, especially before any recommendations can be made as to such changes as should

be made in the system of accounting made as to such changes as should and otherwise;

Therefor, Be It Resolved, by the Senate that your Committee appointed pursuant to Senate Resolution No. —, be and it is hereby granted further time in which to complete said audit;

Be It Further Resolved, that said Committee have all the powers authorized by the statute as an investigation committee, in subpoenaing witnesses and performing all of the duties required of said Committee in making said audit and investigation, and that all of the expenses of said investigation from this date be paid out of the mileage and per diem funds of the Senate, including \$5.00 per day to each member of said Committee for such time only as he may be actually engaged in said audit and investigation and the expenses actually incurred by said Committee in making said audit and investigation.

CLARK.

The resolution was read and adopted.

Senate Bill No. 151—House Amendments Concurred In.

Senator Smith called up for consideration of House amendments to:

S. B. No. 151, amending special road law for Rusk County, Texas.

The following House amendments were read:

Amend Senate Bill No. 151 by striking out all after the words "A bill to be entitled" and above the enacting clause and insert in lieu thereof the following: "An Act to amend Sections 1, 2, 3, 4, 20 and 23 of Chapter 76 of the General and Special Laws of the Regular Sessions of the Thirty-first Legislature, as amended by the First and Second Called Sessions of the Legislature and known as 'An Act to create a more efficient road system for Rusk County, Texas, etc., providing for the appointment of special road commissioners for Rusk County; providing their qualifications; prescribing their powers and duties, authorizing the right of eminent domain for road purposes, providing for a method of paying accounts out of and handling the moneys from bonds heretofore issued, automobile tax, State and

Federal aid; validating bonds heretofore issued or that may hereafter be issued, adding Sections 1a, 1b, 1c, 3a, 3b and 3c thereto; providing that this Act be cumulative of the General Laws, and declaring an emergency."

Amend Senate bill No. 151, Section 1, by inserting after the word "Texas" in line 4 of Section 1, the following "As amended by the First and Second Called Sessions of the Thirty-first Legislature."

Amend Senate Bill No. 151 by inserting after the word "Act" in the fourth line of Section 1, the following: "and by adding thereto Sections 1a, 1b, 1c, 3a, 3b, and 3c, and each and all of said original sections and new sections shall hereafter read as follows."

On motion of Senator Smith the amendments were concurred in by the following vote:

Yeas—25.

Alderdice.	Hall.
Bailey.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Smith.
Clark.	Strickland.
Cousins.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

Absent.

Rector.

Absent—Excused.

Bledsoe.	Johnston.
Dayton.	Parr.
Gibson.	

Senate Bill No. 57—House Amendments Concurred In.

Senator Westbrook called up for consideration of House amendments to:

S. B. No. 57, A bill to be entitled "An Act to make certain emergency appropriations out of the general revenue for the several institutions and departments of the government for the fiscal year ending August 31, 1919, and declaring an emergency."

The following House amendments were read:

Amend by striking out "for purchase of dairy cows, \$1800" amend

by adding the following items to the bill:

Blind Institute:

"For replacing concrete floors in Gymnasium Bld. \$1,000."

Department of State:

"For freight, postage, express, telegraph, telephoning and contingent expense \$750.00."

Hospital for Negro Insane at Rusk:

"To pay balance on contract including, 16 bath tubs, 18 commodes, 18 lavatories and the salary and expenses of the Board of Managers and the Superintendent, \$6,138.82."

"For support and maintenance, \$40,071.90."

Judiciary:

"To pay increase in salary of 86 District Judges, 7 criminal District Judges, 27 Judges Courts of Civil Appeals, 3 Judges Supreme Court; 3 Judges Court of Criminal Appeals; Six Judges Commissioners' Appeals from June 19, 1919 to August 31, 1919 inclusive \$28,798.00."

Executive Office:

"For general repairs, \$225.00."

State Treasury Department:

"Salary for one bookkeeper for two and one half months, \$312.50."

On motion of Senator Westbrook the Senate concurred in the above House amendments.

House Bill No. 208.

By unanimous consent and on motion of Senator Westbrook, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 208 put on its second reading by the following vote:

Yeas—24.

Alderdice.	Floyd.
Bailey.	Hall.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Smith.
Cousins.	Strickland.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.

Nays—1.

Suiter.

Absent.

Rector.

Absent—Excused.

Bledsoe.	Johnston.
Dayton.	Parr.
Gibson.	

The Chair laid before the Senate on second reading:

H. B. No. 208, A bill to be entitled "An Act making appropriations for deficiencies in appropriations heretofore made for the support of the State Government for the fiscal years ending August 31, 1917, and August 31, 1918, to cover duly authorized deficiency claims registered in the office of the Comptroller of Public Accounts of the State of Texas, in accordance with law, and declaring an emergency."

The Senate rule requiring committee reports to lie over for one day was suspended.

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to third reading.

On motion of Senator Westbrook, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 208 put on its third reading and final passage by the following vote:

Yeas—21.

Alderdice.	Hall.
Bailey.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Smith.
Clark.	Westbrook.
Dean.	Williford.
Dorough.	Witt.
Dudley.	Woods.
Faust.	

Nays—3.

Floyd.	Suiter.
Strickland.	

Absent.

Cousins.	Rector.
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Absent—Excused.

Bledsoe.	Johnston.
Dayton.	Parr.
Gibson.	

The bill was laid before the Senate, read third time and, on motion of Senator Westbrook was passed by the following vote:

Yeas—21.

Alderdice.	Hall.
Bailey.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Smith.
Clark.	Westbrook.
Dean.	Williford.
Dorough.	Witt.
Dudley.	Woods.
Faust.	

Nays—3.

Floyd.	Suiter.
Strickland.	

Absent.

Cousins.	Rector.
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Absent—Excused.

Bledsoe.	Johnston.
Dayton.	Parr.
Gibson.	

Excused.

Senator Bailey was excused for the remained of today on motion of Senator Hall.

Senate Bill No. 36—House Amendments Concurred In.

Senator Smith called up for consideration of House amendments to:

S. B. No. 36, relating to reports and record books to be kept by oil producers subject to inspection of the Railroad Commission.

The following House amendments were read:

(1) Amend Senate Bill No. 36 by inserting between the words "of" and "oil" in line 4, Section 1, page 452, Senate Journal, the following: "Stock sold and unsold, and amount of promotion money paid, amount of."

(2) Amend Senate Bill No. 36 by striking out the word "only" in the third line from the top of page 452, column 2.

On motion of Senator Smith, the Senate concurred in the above amendments by the following vote:

Yeas—23.

Alderdice.	Carlock.
Buchanan of Bell.	Clark.
Buchanan of Scurry.	Dean.
Caldwell.	Dorough.

Dudley.	Smith.
Faust.	Strickland.
Floyd.	Suiter.
Hall.	Westbrook.
Hertzberg.	Williford.
Hopkins.	Witt.
McNealus.	Woods.
Rector.	

Absent.

Bailey.	Page.
Cousins.	Parr.

Absent—Excused.

Bledsoe.	Gibson.
Dayton.	Johnston.

Bills Signed.

The Chair, Lieutenant Governor Johnson, gave notice of signing and did sign in the presence of the Senate, after their captions had been read the following:

H. B. No. 105, A bill to be entitled "An Act creating Warren Independent School District in Tyler County, Texas; defining its boundaries; providing for a board of trustees, etc., and declaring an emergency."

H. B. No. 44, A bill to be entitled "An Act making an appropriation of all funds coming into the hands of the State Highway Department of registration fees, and all other sources, for the period from June 22, 1919, to August 31, 1919, for the maintenance and operation of the said Highway Department."

S. B. No. 135, A bill to be entitled "An Act to amend Chapter 28 of the Acts of the Thirty-fifth Legislature, First Called Session, approved May 19, 1917, amending Chapter 15, Title 48, of the Revised Civil Statutes of the State of Texas by adding Article 2815c, so as to provide that said Article 2815c shall not be applicable in the case of any city which votes to extend its city limits without affecting an adjacent school district or districts, a portion or portions of which may be included within such city limits as extended; and declaring an emergency."

S. B. No. 63, A bill to be entitled "An Act to establish Common School District No. 46 in Freestone County, Texas, etc., and declaring an emergency."

S. B. No. 106, A bill to be entitled "An Act creating Quitman Independent School District in Wood County,

Texas, etc., and declaring an emergency."

S. B. No. 124, A bill to be entitled "An Act to diminish the civil and criminal jurisdiction of the county court of Menard County; to conform the jurisdiction of the district court thereto and to repeal all laws in conflict herewith; and declaring an emergency."

S. B. No. 138, A bill to be entitled "An Act to create and establish Common School District No. 20 in Walker County, Texas, out of a part of the territory now embraced in Common School District No. 14 of said county etc., and declaring an emergency."

S. B. No. 146, A bill to be entitled "An Act to re-enact and amend the Chapter 57 of the Special Laws of the Thirty-fourth Legislature and which became effective March 22, 1915, entitled 'An Act to create a more efficient road system for Dallas County, Texas; and declaring an emergency.'"

With amendment.

S. B. No. 165, A bill to be entitled "An Act creating a County Court of Eastland County, Texas at law, defining and establishing the jurisdiction of said court and defining the jurisdiction retained by the County Court of Eastland County; providing for the term and practice therein; for the election, qualification of the judge thereof and the term of same; providing for the bond, oath of said judge and for the appointment of the judge thereof. Providing for the issuance of writs and the return and service of same; providing for the appointment of jurisdiction commissioners; the selection of juries; the filling of the vacancies in the election judges; the fees and salaries of the judge of the county court at law and of the county court, of Eastland County, Texas, and declaring an emergency."

S. B. No. 168, A bill to be entitled "An Act adding to Chapter 82, Local and Special Road Laws of the Thirty-second Legislature, 1911, the same being the special road laws for Tyler County, Texas, a new section to be known as Section 15a; providing for the compensation of the members of the county commissioners court of Tyler County, Texas, while actually engaged in the discharge of their duties in the construction of roads throughout said county; and declaring an emergency."

S. B. No. 166, A bill to be entitled

"An Act to create a common county line school district, to be under the jurisdiction, management and control of the county school board of Dallas County, Texas, to be composed of the territory described in this Act and defining the rights, powers and privileges of such district, and declaring an emergency."

S. B. No. 150, A bill to be entitled "An Act to incorporate Blessing Independent School District, to provide for an election of trustees for such district; to provide for the payment of the debts now existing against Common School District No. 11 of Matagorda County, Texas, etc., and declaring an emergency."

S. B. No. 153, A bill to be entitled "An Act creating the Moody Independent School District in McLennan County, Texas, defining its boundaries, including the present Moody Independent School District, etc., and declaring an emergency."

S. B. No. 171, A bill to be entitled "An Act incorporating and creating the Oak Lawn Independent School District of Tarrant County, Texas."

H. B. No. 183, A bill to be entitled "An Act levying a State ad valorem tax for school purposes; making an appropriation of the funds so raised for the years ending August 31, 1920, and August 31, 1921; providing that for the funds arising under said tax the State Board of Education shall set apart an amount sufficient to purchase and distribute the necessary school books for the use of the pupils of this State for the scholastic year; repealing all laws in conflict herewith, and declaring an emergency."

H. B. No. 185, A bill to be entitled "An Act to amend Article 6938, Chapter 4 of the Revised Civil Statutes, prescribing the places where road overseers shall place index boards, and prescribing a penalty for failures to comply with this Act."

S. B. No. 60, A bill to be entitled "An Act to amend Section 3, Article 3889 of the Revised Civil Statutes of 1911, as amended by House Bill No. 449, Chapter 158, of the Regular Session of the Thirty-sixth Legislature of the State of Texas, fixing the maximum fees that may be retained by the county judge, sheriff, clerk of the county court, county attorney, clerk of the district court, collector of taxes, assessor of taxes, justice of the peace and constable in counties having a population of less than 25,-

000; providing that this Act shall not apply to counties with a population under twenty-five thousand that constitute a separate judicial district, and declaring an emergency."

S. B. No. 159, A bill to be entitled "An Act to repeal all special road laws heretofore enacted for Burnet County, Texas, and to specifically repeal Chapter 36 of the Special Laws of the Regular Session of the Thirty-second Legislature, 1911; adopting the provisions of Chapter 2, Title 18, of Session 1911, and amendments thereto for Burnet County, Texas, and any political subdivision or defined district therein; validating bond elections heretofore held, and declaring an emergency."

S. B. No. 155, A bill to be entitled "An Act to authorize and empower Kerr County or any political subdivision or any defined district now or hereafter to be described and defined, of said county, etc., by a vote of a two-thirds majority of the resident property taxpayers, qualified voters of such county or political subdivision, or any defined district now or hereafter to be described and defined, thereof, voting thereon, to issue bonds to any amount not exceeding one-fourth of the assessed valuation of the real property of such county or of such political subdivision or any defined district now or hereafter to be described and defined and to levy and to collect taxes to pay the interest on such bonds and to provide a sinking fund for the redemption thereof for the purpose of constructing, maintaining and operating macadamized, graveled or paved roads and turnpikes or in aid thereof, and providing ways and means of conducting and supervising said work; providing for appointment of a board of road commissioners and their duties; and repealing the Kerr County road law passed by the Regular Session of the Thirty-sixth Legislature of the State of Texas, known as Senate Bill No. 22, and declaring an emergency."

H. B. No. 202, A bill to be entitled "An Act to create an independent school district in Grimes County, Texas, to be known and designated as the 'Victory Independent School District,' said district to have certain metes and bounds; providing for election of trustees of said district, and for the appointment of temporary trustees and officers who are to act until the next general election for

school trustees; providing for the payment of the present bonded indebtedness now outstanding against said district, the district hereby created being a part of Common School District No. 5 of Grimes County, Texas; etc."

H. C. R. No. 20, giving the Attorney General the right to bring suit in the name of the State against the State of Oklahoma.

S. B. No. 47, A bill to be entitled "An Act to authorize and direct the Secretary of State to exchange court reports, session acts and other publications of other States and of the United States and of foreign countries for the benefit of the law library of the University of Texas, and declaring an emergency."

S. B. No. 163, A bill to be entitled "An Act to amend Chapter 87 of the Regular Session of the Thirty-sixth Legislature, entitled 'An Act to create a more efficient road law for Delta County and providing for a proper mode for handling funds, and declaring an emergency.'"

H. B. No. 166, A bill to be entitled "An Act to amend Section 1 of Chapter 102, Acts of the Thirty-sixth Legislature passed at its Regular Session; providing that the commissioners' court in any county in this State may provide and furnish a rest room for women and may assist in paying for the services of a matron for such rest room; providing for the appointment of such matron by the county judge; providing that counties having a population of less than 25,000 shall not expend more than \$125.00 in furnishing rest room, nor more than \$15.00 per month for its maintenance, and that counties having a population of more than 25,000 and less than 50,000 may expend not to exceed \$200.00 in furnishing such rest room and not more than \$25.00 per month for its maintenance; and that counties having a population of more than 50,000 may expend not to exceed \$400.00 in furnishing a rest room, and may expend not to exceed \$50.00 per month for its maintenance, and declaring an emergency."

S. B. No. 160, A bill to be entitled "An Act to amend Chapter 79, page 202 of the General Laws of the Regular Session of the Twenty-seventh Legislature of the State of Texas, approved on the 9th day of April, 1901, entitled 'An Act to create a more efficient road system for Brown

County, Texas, etc., and declaring an emergency."

Recess.

At 12:25 o'clock p. m., the Senate on motion of Senator Clark, recessed until 2:30 o'clock p. m., today.

After Recess.

(Afternoon Session.)

The Senate was called to order by Lieutenant Governor Johnson.

House Concurrent Resolution No. 23.

The Chair laid before the Senate House Concurrent Resolution No. 23 as follows:

Whereas, there are numerous and divers Public Institutions such as our Eleemosynary Asylums, our State Capitol and our public schools that have more or less acreage of land about them; and

Whereas, the planting of trees about this acreage has heretofore been altogether from the standpoint of ornamentation; and

Whereas, ornamentation, coupled with use is better than ornamentation alone; and

Whereas, the planting of fruit as well as nut bearing trees serve both for ornamentation as well as use; therefore, be it

Resolved, by the House of Representatives, the Senate concurring, that in any future planting of trees about the premises of public institutions that preference shall always be given fruit and nut bearing trees, and that where trees not bearing fruit perish, that the places occupied by such trees be planted whenever practicable by fruit or nut bearing trees; and

Whereas, the pecan (being now the Texas State Tree) grows in its earlier years of growth better in the shade of other trees than in open sunshine, and lives many years longer than most trees; therefore, be it

Resolved, that the planting of pecans between ordinary forest trees now planted around the premises of our public institutions shall be practical, and is hereby required to be practical, by those having charge of

the planting of trees about our public institutions respectively.

BERTRAM.

The resolution was read and adopted.

Simple Resolution No. 43.

Whereas, Section 44 of Article 3 of the Constitution of the State of Texas reads as follows:

"The Legislature shall provide by law for the compensation of all officers, agents and public contractors, not provided for in this constitution, but shall not grant extra compensation to any officer, agent, servant or public contractor, after such public service shall have been performed or contracts entered into for the performance of same; nor grant by appropriation or otherwise, any amount of money out of the Treasury of the State, to any individual, or a claim, real or pretended, when the same shall not have been provided for by pre-existing law; nor employ any one in the name of the State, unless authorized by pre-existing law."

And, on February 11th, 1919, a duly appointed sub-committee from the House committee on Appropriations of the Thirty-sixth Legislature of the State of Texas, having under consideration certain claims against the State of Texas, submitted to the Attorney General of the State the following question dealing therewith, to-wit:

"Can the Legislature legally appropriate sums of money to pay accounts contracted by heads of departments of the State for which no pre-existing law authorizes; said accounts being for miscellaneous supplies bought after having exhausted the regular appropriations made by a former legislature?"

And replying thereto under date of February 12th, 1919, the Attorney General gave to said sub-committee his construction of the constitutional provision above quoted and the statute of the State bearing on the same question, the substances of his opinion being as follows, to-wit:

"Where the appropriation made for the support and maintenance of State departments and institutions are exhausted, the officials in charge of those departments and institutions have no authority to contract debts in excess of such appropriations,

such excesses are void and the Legislature has no power to make appropriations for their payment. It is a misdemeanor punishable by fine for any official to contract debts against the State in excess of the amount appropriated by the Legislature. Section 44, Article 3 of the Constitution and Articles 119a and 119b of Vernon's Sayles. Criminal Statutes."

Now therefore, be it

Resolved, that the special attention of all officers, heads of departments and institutions, and all agents, servants, employes and public contractors dealing with any of the State departments and institutions, is called to the above constitutional and statutory provisions and the construction of same by the Attorney General of the State and the urgent necessity of strictly complying therewith.

WOODS.
DEAN.

The resolution was read and adopted.

Message from the House.

Hall of the House of Representatives,
Austin, Texas, July 21, 1919.

Lieutenant-Governor W. A. Johnson,
President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted Conference report on Senate Bill 140; and has adopted House Concurrent Resolution No. 23, relating to planting of fruit and nut trees on grounds of State institutions.

House grants the request of the Senate for a conference on Senate Bill No. 48 and has appointed Messrs. Pedigo, Davis of Van Zandt, Scott, Lee and Childers to act for the House.

House grants the request of the Senate for a conference on Senate Bill No. 157, and has appointed Messrs. Morris of Montague, Walker of Wise, Lawrence, Bryant and Dickson to act for the House.

House grants the request of the Senate for a conference on Senate Bill No. 156 and has appointed Messrs. Thomas, Poage, McDonald, Stephens and Beasley to act for the House.

Respectfully submitted,

T. B. REESE,
Chief Clerk, House of Representatives

Post Session Clerical Work.

Senate Chamber.

Austin, Texas, July 22, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Rules, in order to provide for the printing of the Senate Journal of the Second Called Session of the Thirty-sixth Legislature, and to provide for officers and employes to close up post-session clerical work, beg to report as follows:

1. That 250 volumes of the Senate Journal of the Second Called Session, when completed, shall be printed and shall be bound in full law sheep or buckram, and that one volume when thus bound shall be forwarded by the Secretary of State to each member of the Senate and to each Representative, and the remainder shall be retained by the Secretary of State. The printing of such Senate Journals in permanent forms shall be done in accordance with the provisions of this resolution under the supervision of the Journal Clerk of the Senate within sixty days after the last copy shall have been furnished to the contractor. And it is further provided that it shall be the duty of the Journal Clerk of the Senate not to receive or receipt for said Senate Journals until correctly published as required herein and by pre-existing law.

When said Journals have been published and the account approved by the State Printing Board, the same shall be paid for out of the contingent expense funds of the Second Called Session of the Thirty-sixth Legislature that is available; provided, that the chairman of the Committee on Contingent Expenses shall not issue voucher for said amount until the Journal Clerk has certified to him that the Journal has been published and delivered in accordance with the provisions of this resolution.

2. We recommend that the Journal Clerk, T. H. Yarbrough, be retained forty days after adjournment, and that he be allowed for his services \$7.50 per day, and that he be instructed to prepare and deliver to the public printer, Journal of the Senate, together with a complete and comprehensive index to same, and to deliver to the Secretary of State all documents, bills, etc., and Journals by law required to be delivered to him by the Secretary of the Senate.

3. That Miss Lula Gardner, the Calendar Clerk, be retained one day and be instructed to check up, index and arrange such bills, books, resolutions and other documents as may remain in her possession and deliver same to the Secretary of the Senate.

4. We recommend that the Sergeant-at-arms, M. F. Hornbuckle, be instructed to immediately prepare a complete and itemized duplicate inventory of all property of the Senate, including all furniture and property in the Lieutenant Governor's room and the reception room with marks of identification entered on the invoice; such inventory to show the condition and probable value of such property, and that each copy of each inventory to be approved by the President of the Senate and to be delivered by the Sergeant-at-Arms to the Senate at the next Special or Regular Session of the Legislature as soon as said Sergeant-at-arms has been qualified; and that the Sergeant-at-arms be allowed an assistant Sergeant-at-Arms, J. A. Kenney, and four porters, to wit, Henry Green, George Crawford, Max Blocker, and Jasper Tune, for three days' time after the adjournment of the Legislature. The Sergeant-at-Arms and assistant Sergeant-at-Arms to receive five dollars per day and porters to receive two dollars per day.

5. We recommend that the Engrossing Clerk and Enrolling Clerk each be required to deliver to the Secretary of the Senate all books and documents belonging to the Senate in their possession at the adjournment of the Legislature.

6. We recommend that the Secretary of the Senate, W. V. Howerton, be retained three days and be instructed to complete the duties as Secretary and in completing the record of the Executive Sessions, and deliver all records and documents to the Journal Clerk as is required of him, and shall be paid the sum of \$7.50 per day.

7. That the Postmistress, Mrs. Clyde D. Smith, be requested to make out a list of the Senators and employees of the Senate, with their respective postoffice addresses, and furnish the same to the postmaster at Austin, with the request that he forward their mail to their respective addresses after adjournment, and that she be paid for three days' time at \$5.00 per day.

8. That Mrs. Banks and Mrs. Sturdivant, Mailing Clerk and assistant Mailing Clerk respectively, be retained for three days to mail out the Journals of the last days of the session.

9. That the expenditures under this resolution may be paid out of the contingent or per diem funds of the Second Called Session of the Thirty-sixth Legislature; that \$100.00, or as much thereof as may be necessary, shall be appropriated out of such contingent expense funds to pay postage or express charges on Journals sent out.

10. We recommend that the Enrolling Clerk be instructed to deliver to the Secretary of State, copies of all bills which have been enrolled by her during the session.

Respectfully submitted,
HALL, Chairman.

The above report was read and Senator Hopkins offered the following amendment which was read and adopted:

(1) Amend the Committee report as follows:

Strike out Section 5, of the Resolution and insert in lieu thereof the following:

Section 5. We recommend that the Engrossing Clerk and the assistant Engrossing Clerk, and the Enrolling Clerk and the Assistant Enrolling Clerk each be retained for one day and be required to hand to the Secretary of the Senate all books and documents pertaining to the Senate, in their possession, at the adjournment of the Legislature.

The resolution as amended was then adopted.

Senate Bill No. 140—Conference Committee Report.

Committee Room,
Austin, Texas, July 22, 1919.

Hon. W. A. Johnson, President of the Senate.

Hon. R. E. Thomason, Speaker of the House.

Sirs: We, your Free Conference Committee to whom was referred

S. B. No. 140, A bill to be entitled "An Act making appropriations for the support of the State Government for two years beginning September 1, 1919, and ending August 31, 1921, and for other purposes and prescribing

ing certain regulations and restrictions thereto, and declaring an emergency."

Have had the same under consideration and beg leave to report that we have adjusted the differences between the two Houses and have adopted Senate Bill No. 140 with amendments and submit herewith substituted bill therefor.

Respectfully submitted,
CLARK.
CALDWELL.
DUDLEY.
PAGE.
STRICKLAND.

On the part of the Senate.
THOMAS.
TAYLOR.
McMILLAN,
TERRELL.
BEASLEY.

On the part of the House.

The foregoing report was read and Senator Hopkins made the point of order that the Free Conference Committee report on Senate Bill No. 140 contained an item of \$30,000 each year for the support of the Board of Control and making all funds that had been appropriated for certain other departments subject to the direction of the Board of Control after the same became operative which item was an entirely new matter that had not been considered by either the House or Senate and that it was the duty of the Free Conference Committee to adjust the differences between the two Houses and that this item being entirely new could not be considered by the Conference Committee, was not a matter of difference and was not contained in either bill, was out of order and the Conference Committee report should be returned to the conferees with instructions to eliminate this matter. And upon the statement of Senator Westbrook to the effect that the bill contained a new item of \$250,000 to cover anticipated deficiencies the point of order was extended so as to apply also to such items. The Chair overruled the point of order and Senator Hopkins gave notice of protest of the action of the Chair in overruling such point of order and permitting said item that had not been considered by either House to remain in the bill.

The Chair overruled the point of order holding that the joint rules of the Thirty-sixth Legislature, page 179 contains the following under the

subdivision of "Free" Conference committees "Where one house strikes out all of the bill of the other after the enacting clause and inserts a new text, and the difference over this subject is referred to the conference, the managers have a wide discretion in incorporating germane matter and may even report a new bill on the subject "This taken together with Hinds Precedents favorable to this view are such as to cause the Chair to overrule the point of order."

The Conference Committee report was then adopted and Senate Bill No. 140 as shown by the report will be found in the Appendix today.

Senator Hopkins gave notice of protest against the ruling of the Chair and the adoption of the Conference Committee report containing the item objected to.

(Reasons for Vote.)

We vote "no" on the motion to adopt the report of the Free Conference committee on Senate Bill No. 140 for the following reasons:

The Finance Committee of the Senate reported the bill and after being amended was finally passed. The House bill carried a larger appropriation and its bill was substituted for the Senate bill by the House. The report of the Free Conference Committee was made to the Senate this afternoon, the last day of this session.

As a protest against this method of legislation and believing that mature deliberation should be given all matters, especially appropriations, we cast our vote against the adoption of the report.

DOROUGH,
FLOYD,
SUITER.

I desire to be recorded as voting against the adoption of the report of the Conference Committee on Senate Bill No. 140.

WOODS.

Senate Bill No. 156—Conference Committee Report.

Committee Room,
Austin, Texas, July 22, 1919.

Honorable W. A. Johnson, President of the Senate.

Honorable R. E. Thomason, Speaker of the House of Representatives.

Sirs: We, your Free Conference Committee on Senate Bill No. 156.

have adjusted the differences between the two houses on said bill, and recommend that House recedes from the following amendments, to-wit:

For the purchase of 149 acres of land adjacent to College property at the A. & M. College.....\$14,900.00
To build barracks, barns and sheds for horses and military equipment assigned to A. & M. College 15,100.00
F. M. Mercer, Prison Commission Account for 1917.. 43.21

And that the Senate concur in all other House amendments.

Respectfully submitted,
WESTBROOK.
DEAN.
HERTZBERG.
WILLIFORD.

On the part of the Senate.
THOMAS.
McDONALD.
POAGE.
BEASLEY.

On the part of the House.

On motion of Senator Westbrook the above report was read and adopted.

Senate Bill No. 157—Conference Committee Report.

Committee Room,
Austin, Texas, July 22, 1919.

Hon. W. A. Johnson, President of the Senate.

Hon. R. E. Thomason, Speaker of the House.

Sirs: We, your Free Conference Committee, appointed to adjust the differences between the House and Senate on Senate Bill No. 157, do hereby adopt the said bill as amended by the House, save and except that amendment of the House striking out Section 10, and your Committee in lieu of said amendment reinserts Section 10 as appearing in the original Senate bill, with the following additions thereto, to-wit:

"Provided when a county has a county surveyor such surveyor alone shall be authorized to make certifi-

cates and certain copies and receive the fees therefor."

Respectfully submitted,
WILLIFORD,
WITT,
FLOYD.

On the part of the Senate.
MORRIS of Montague.
WALKER, of Wise.
D. W. DICKSON,
On the part of the House.

On motion of Senator Witt the above report was read and adopted.

Senate Bill No. 48—Conference Committee Report.

Committee Room,
Austin, Texas, July 22, 1919.

Hon. W. A. Johnson, President of the Senate.

Hon. R. E. Thomason, Speaker of the House.

Gentlemen: We, your Conference Committee appointed on

S. B. No. 48, A bill to be entitled "An Act to amend Article 1202 of the Code of Criminal Procedure, etc., and declaring an emergency."

Have had same under consideration and beg leave to report that we have agreed and recommend that the Senate bill be passed when same shall be amended as follows:

Strike out the first sentence in paragraph two of Article 1202 and insert the following:

"In counties having a population of less than seventy-five thousand, one probation officer may be appointed by the Commissioners Court when in their opinion such officer is needed, who shall receive a compensation of not to exceed twelve hundred dollars per annum, provided that in counties having a population of not less than thirty-five thousand and not more than seventy-five thousand and containing a city of more than twenty-nine thousand population one probation officer may be appointed by the Commissioners Court when in their opinion the services of such officer is needed, who shall receive a compensation of not to exceed twenty-four hundred dollars per annum."

Caldwell, Page, Carlock, Hertzberg, Witt, on the part of the Senate.

Pedigo, Davis of Van Zandt, Scott,

C. I. Lee, E. H. Childers, on the part of the House.

The foregoing report was read and adopted.

Message From the House.

Hall of the House of Representatives,
Austin, Texas, July 21, 1919.

Lieutenant-Governor W. A. Johnson,
President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted Conference Committee report on Senate Bill No. 48.

House has concurred in Senate amendments to House Bill No. 63.

House has concurred in Senate amendments to House Bill 29.

House has adopted Conference Committee report on Senate Bill No. 156.

Respectfully submitted.

T. B. REESE,

Chief Clerk, House of Representatives

**Senate Concurrent Resolution No. 7
—Conference Committee Report.**

Committee Room,
Austin, Texas, July 22, 1919.

Hon. W. A. Johnson, President of the Senate.

Hon. R. E. Thomason, Speaker of the House of Representatives.

Sir: Your committee, having been appointed in accordance with Concurrent Resolution No. 7, to confer with the Prison Commission, Board of Pardon Advisors, and the Governor, looking to the revision of the parole law of the State of Texas and the laws pertaining to the betterment of the convicts as per a message from the Governor, beg to advise:

That we have had a number of meetings and discussed the same thoroughly in every way. We find that it is a great field for good, and much good can be accomplished along the ideas suggested by the Governor, but it is a revision of the entire parole system and indirectly revising to a great extent the rules and regulations of the parole laws, etc. We have had before us all the parole laws of the different states of the Union, and we find that it is a matter that should not be gone into hastily.

We appreciate the efforts of the

Governor for the betterment of the convicts themselves, and we feel that a law can be enacted that will do a wonderful amount of good, but on account of the short time, the near approach of the closing of the Legislature, we feel like we have not had sufficient time to work out a system to formulate a plan in keeping with the Governor's ideas.

Therefore, we respectfully request that in view of the possibility of another called session that you accept this our report and extend the committee and give us further time to consider and study out the matter in the end that a good and wholesome bill may be offered. As a further reason for the postponement of action relative to this matter, we will state that sufficient appropriation has been made by the present Legislature for the Board of Pardons to carry out its present policy of looking after the best interests of all convicts and more especially those on parole, and our investigation discloses the fact that the members of the Board of Pardons and the Prison Commission are doing everything in their power to looking after the interests of the same and are thoroughly backed up and co-operated with by His Excellency, the Governor; therefore, we respectfully urge that they continue the work as is now being carried out until such time as the Legislature may convene again, at which time we would, as heretofore stated, recommend that a good and sufficient parole law be passed.

CARLOCK.

DOROUGH.

On the part of the Senate.

WALKER.

THOMASON.

On the part of the House.

The foregoing report was read and adopted.

House Bill No. 139.

Senator Buchanan of Bell asked for unanimous consent to take up House Bill No. 139, relating to taxation of dogs.

There was objection.

Senator Buchanan of Bell moved that the regular order of business be suspended, and the Senate take up, out of its order, House Bill No. 139.

The roll call resulted as follows:

Yeas—14.

Alderdice.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	McNealus.
Clark.	Rector.
Dudley.	Smith.
Faust.	Westbrook.
Hall.	Woods.

Nays—6.

Carlock.	Suiter.
Dean.	Williford.
Strickland.	

Absent.

Bailey.	Floyd.
Caldwell.	Page.
Cousins.	Witt.
Dorough.	

Absent—Excused.

Bledsoe.	Johnston.
Dayton.	Parr.
Gibson.	

Call of the Senate.

The roll call showing no quorum, Senator McNealus moved a call of the Senate for the purpose of obtaining a quorum.

The roll was called, the following Senators being absent:

Absent.

Bailey.	Dean.
Caldwell.	Hall.
Clark.	Page.
Cousins.	Williford.

Absent—Excused.

Bledsoe.	Johnston.
Dayton.	Parr.
Gibson.	

Pending a short delay, Senator Dorough, Caldwell and others appeared and were marked present, which completed a quorum and the doors of the Senate Chamber were opened.

Action recurred upon the motion to suspend the regular order of business and the same was lost by the following vote:

Yeas—13.

Alderdice.	Clark.
Bailey.	Dudley.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.

McNealus.	Westbrook.
Rector.	Woods.
Smith.	

Nays—9.

Caldwell.	Strickland.
Carlock.	Suiter.
Dean.	Williford.
Faust.	Witt.
Floyd.	

Absent.

Hall.	Page.
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Absent—Excused.

Bledsoe.	Johnston.
Dayton.	Parr.
Gibson.	

Pair Recorded.

Senator Dorough (present) who would vote "nay;" Senator Cousins (absent) who would vote "yea."

Message from the House.

Hall of the House of Representatives.
Austin, Texas, July 21, 1919.

Lieutenant Governor W. A. Johnson,
President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has:

Adopted Conference Committee Report on Senate Bill No. 157.

Respectfully submitted,

T. B. REESE,
Chief Clerk, House of Representatives

President Pro Tem.—Election.

Senator Dean obtained recognition and placed in nomination for President Pro Tempore for interim between this time and the reconvening of another session of the Legislature, Senator Geo. M. Hopkins.

The nomination was seconded by Senators Williford, Carlock, Clark, Hertzberg, Dudley, Dorough, Suiter, Westbrook and Caldwell.

Senator Strickland placed in nomination Senator Buchanan of Bell but later withdrew the nomination.

Senators Hertzberg Williford and Buchanan of Scurry were appointed as tellers.

The ballot cast showed 18 votes for Senator Hopkins which being a majority of all votes cast and was declared to be duly and constitutionally elected President Pro Tem. of the

Senate during the interim preceding another session of the Legislature.

Senators Dean and Strickland were appointed as a committee to escort Senator Hopkins to the President's stand where he took the oath of office administered by Lieutenant Governor Johnson.

Being presented to the Senate made a brief address, and then occupied the chair.

President Pro Tempore Hopkins in the chair.

Simple Resolution No. 44.

Whereas, during the Regular Session of the Thirty-sixth Legislature, an investigation of the Ranger Force was made in which much evidence was taken, a typewritten copy of which was filed with the report of said committee, and

Whereas, an investigation was later made by the Blue Ridge Investigating Committee at which a great deal of evidence was taken, a typewritten copy of which was attached to the report of said committee; therefore, be it

Resolved, by the Senate, That typewritten copies of each of these reports be placed in the State Library for safe keeping and for the inspection of any and all interested parties, SUITER.

The resolution was read and adopted.

Bills and Resolutions Signed.

The Chair, Lieutenant Governor Johnson, gave notice of signing and did sign in the presence of the Senate, after their captions had been read, the following:

H. B. No. 161, A bill to be entitled "An Act to amend Section 2 of Chapter 65 of the Acts of the Regular Session of the Thirty-sixth Legislature, being the rural school appropriation, by repealing subdivision (1) thereof and making said Section 2 read as follows."

S. B. No. 76, A bill to be entitled "An Act to authorize the sale of certain lands and flats in and under the waters of Matagorda Bay, belonging to the State of Texas; to provide the conditions and the terms of the purchase thereof and for the issuance of permits and patents there-

for; to authorize the dredging, deepening, widening and maintaining of channels through and across, said lands and flats; and providing that from and after the filing of application for the purchase of said lands and flats, the Commissioner of the General Land Office shall not receive any applications for permit to prospect for petroleum, oil or natural gas, in, on, or under the area of the waters included in such application or any part thereof, and that such Commissioner shall not grant any right to prospect for such minerals in, on or under said area, and providing that the State shall and does reserve all the minerals that may be within the area; and declaring an emergency."

S. B. No. 64, A bill to be entitled "An Act to amend Article 5684 of the Revised Civil Statutes of 1911, so as to limit the time in which a person under twenty-one years of age, not in the military or naval service of the United States, in time of war, or of unsound mind, or imprisoned, may institute suit for the recovery of real estate, and by adding after said Article a new Article, to be known as Article 5684a, so as to provide that a person having the peaceable and adverse possession of lands, tenements or hereditaments, the title to which has passed out of the State, using and enjoying the same, under deed or deeds duly recorded constituting a regular chain of title, for a period of twenty-five years, shall be conclusively presumed to have an incontestible and good marketable title thereto, providing for proof of possession, and declaring an emergency."

S. B. No. 65, A bill to be entitled "An Act to amend Article 1206 of the Revised Civil Statutes of 1911, so as to provide that the dissolution of a corporation shall not operate to abate any pending suit and so as to provide that suit may be maintained against the corporation as though the same had not been dissolved and service of process obtained on the President, Directors, General Manager, Trustee, Assignee, or other person in charge of the affairs of such corporation at the time it was dissolved and providing that the assets of said corporation shall be subject to the payment of judgments and declaring an emergency."

H. B. No. 208, A bill to be entitled "An Act making appropriations for

deficiencies in appropriations heretofore made for the support of the State government for the fiscal years ending August 31, 1917, and August 31, 1918, to cover duly authorized deficiency claims registered in the office of the Comptroller of Public Accounts of the State of Texas, in accordance with law, and declaring an emergency."

H. B. No. 229, A bill to be entitled "An Act making additional appropriation to pay the per diem and mileage of the members and the per diem of the officers and employes of the Second Called Session of the Thirty-sixth Legislature of the State of Texas, convened on the 23rd day of June, 1919, by proclamation of the Governor; providing how accounts may be approved, and declaring an emergency."

S. B. No. 56, A bill to be entitled "An Act to lease islands, salt water lakes, bays, inlets, reefs and marshes owned by the State within tidewater limits and that portion of the Gulf of Mexico within the jurisdiction of the State of Texas for the production of oil and natural gas; authorizing the Commissioner of the General Land Office to adopt necessary rules and regulations in relation thereto; prescribing the terms upon which leases may be issued; providing for the advertisement of the areas before they are leased; prescribing the requirements for applications; providing for the recognition or abandonment of former surveys; prescribing how and when royalty shall be paid; appropriating the proceeds to the public free school fund and the game, fish and oyster fund; creating a first lien in favor of the State; providing for offset wells; providing against pollution of water and authorizing the Game, Fish and Oyster Commissioner to enforce rules against such pollution; providing that leases may be transferred or relinquished to the State; providing for forfeiture of leases if the owner should fail or refuse to comply with the law and rules and regulations adopted relative thereto; providing for opening of roads as ways of ingress and egress to and from leased areas; providing for the protection of valid rights heretofore acquired, and declaring an emergency."

S. B. No. 143, A bill to be entitled "An Act making it unlawful for any

person, directly or indirectly, to manufacture, sell, barter, exchange, transport export receive solicit take orders for furnish or posses, spirituous, vinous or liquors or medicated bitters, capable of producing intoxication, or other intoxicant whatever, or any equipment for making any liquor except for medicinal, mechanical, scientific or sacramental purposes; declaring it unlawful for any person, directly or indirectly, to manufacture, sell, barter exchange transport, export, receive, deliver or take orders for, furnish or possess, any spirituous vinous or malt liquors or medicated bitters, or any potable liquor, mixture or preparation, containing excess of one per cent of alcohol by volume or equipment for making such liquors except for medicinal, mechanical, scientific, or sacramental purposes; declaring that the words "intoxicating liquors" or "liquors" shall be held to include and comprehend all liquors just previously mentioned; and declaring what liquors are included in the liquors just mentioned, etc., and declaring an emergency."

H. B. No. 5, A bill to be entitled, "An Act to establish and fix the salaries of the following named officers: Superintendents and employees of the State Government of the State of Texas, to-wit: The Superintendents of the Blind Institute, the Deaf and Dumb Institute, the Epileptic Colony, State Lunatic Asylum, the Southwestern Insane Asylum, the North Texas Hospital for the Insane, Northwest Texas Insane Asylum, the Hospital for Negro Insane, State Institution for Training of Juveniles, Colony for the Feeble Minded, the Confederate Home, the Confederate Woman's Home, the Girls Training School, the Deaf, Dumb and Blind Institute for colored youths and the Head Physician of the State Pasteur Institute, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

S. B. No. 151, A bill to be entitled "An Act to amend Section 1, 2, 3, 4, 20 and 23 of Chapter 76 of the Regular and Special Laws of Texas enacted at the Regular, First and Second Called Sessions of the Thirty-first Legislature and known as an Act to create a more efficient Road System for Rusk County, Texas, etc; providing for the appointment of Special Road Commissioners for Rusk

County; providing for their qualifications; prescribing their powers and duties, authorizing the right of eminent domain for road purposes; providing a method for paying accounts out of and handling the moneys received from bonds heretofore issued; automobile taxes, State and Federal aid; validating bonds heretofore issued or that may hereafter be issued; providing that this Act be cumulative, and declaring an emergency."

Recess.

At 5:20 o'clock p. m., the Senate on motion of Senator Caldwell, recessed until 8:30 o'clock tonight.

After Recess.

(Night Session.)

The Senate was called to order by Lieutenant Governor Johnson.

Message From the House.

Hall of the House of Representatives,
Austin, Texas, July 21, 1919.
Lieutenant-Governor W. A. Johnson,
President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted Senate Concurrent Resolution No. 17, relating to a State-owned and operated cement plant.

Respectfully submitted,
T. B. REESE, Chief Clerk,
Chief Clerk, House of Representatives

House Concurrent Resolution No. 22.

Whereas, on July 15, a portrait of General McAlexander was presented to the State of Texas to be hung on the walls of the Capitol building; and,

Whereas, the said portrait is without a frame to properly mount it, the one purchased in France being evidently lost or misplaced; therefore,

Be It Resolved, by the House of Representatives, the Senate concurring, that a frame be purchased from C. M. Miller of Austin, at a cost of \$68.00; that this expense be equally divided between the House of Representatives and the Senate, the sum of \$34.00 to be paid out of the House

contingent fund and the further sum of \$34.00 to be paid out of the Senate contingent fund.

SACKETT.

On motion of Senator Witt the resolution was read and adopted.

Bills Signed.

The Chair, Lieutenant Governor Johnson, gave notice of signing and did sign in the presence of the Senate, after their captions had been read, the following:

S. B. No. 156, A bill to be entitled "An Act making appropriations to pay miscellaneous claims against the State, authorizing the payment of said miscellaneous items on the taking effect of this Act, making additional appropriations for the support of the State Government, for the fiscal year ending August 31, 1920, and August 31, 1921, and declaring an emergency."

S. B. No. 157, A bill to be entitled "An Act to create a Board of Examiners of Land Surveyors that shall serve without pay; prescribing their duties and the subjects in which applicants for land surveyors license shall be examined; providing for the issuance of land surveyor's license for certain causes; and allowing appeals therefrom; providing for the bonding of licensed surveyors; prescribing their duties and fixing their jurisdiction; fixing a maximum compensation; prohibiting such land surveyors from purchasing or being interested in the purchase or acquisition of any public land, either directly or indirectly; prescribing a penalty for violations of this Act; repealing all laws in conflict herewith, and declaring an emergency."

S. B. No. 158, A bill to be entitled "An Act to create the Bailey Independent School District No. 36 in Fannin County, Texas, designating its territory, etc., and declaring an emergency."

S. B. No. 86, A bill to be entitled "An Act to amend Chapter 104, Acts of the Thirty-fifth Legislature, 1917, and providing for registration and statistical reports of teachers, superintendents, principals and other school officers in all schools supported wholly or in part by the State of Texas, and providing for the withholding of the salary of said teachers, superintendents, principals and

other school officers until such reports are made, after due notice has been given, providing penalties for failure to comply with the provisions of this Act, and declaring an emergency."

S. B. No. 131, A bill to be entitled "An Act to amend Article 1606, Chapter 5, of the Revised Civil Statutes of Texas of 1911 as amended by an Act approved February 24, 1905, by the Twenty-ninth Legislature, Regular Session, relating to the employment and salaries of stenographers of Courts of Civil Appeals and fixing the salaries of stenographers of Courts of Civil Appeals, and declaring an emergency, and providing that the Act take effect from its passage, and repealing all laws or parts of laws in conflict with the provisions of this Act."

S. B. No. 139, A bill to be entitled "An Act granting to Brazos County a more efficient and better road law; prescribing ways and means of conducting and supervising public road work in Brazos County."

S. B. No. 80, A bill to be entitled "An Act to amend Chapter 57 of the General Laws of the State of Texas, passed at the Regular Session of the Thirty-fifth Legislature of Texas, relating to county libraries, and declaring an emergency."

S. B. No. 91, A bill to be entitled "An Act to amend Article 6292 of the Revised Civil Statutes of the State of Texas of 1911, providing that the Board of Pharmacy shall be entitled to charge and collect the following fees: For the examination of an applicant for license as a pharmacist, five (\$5.00) dollars; for the examination of an applicant for license as an assistant pharmacist, two (\$2.50) dollars and fifty cents; every registered pharmacist and every assistant pharmacist, who desires to continue in the pursuit of pharmacy, in this State is required annually, after the expiration of the first year of registration; and on or before the first day of January, each year to pay to the Secretary of the Board of Pharmacy a renewal fee to be fixed by the Board which shall not exceed three dollars, in return for which a renewal of registration shall be issued; providing further that the State Board of Pharmacists shall each year turn over to the State Pharmaceutical Association, for the advancement of the science and art of pharmacy out of the annual fees

collected by it, such sum as it may deem advisable, but not to exceed two dollars for each pharmacist who shall have paid his renewal fee during said year; said Act providing that said Association shall annually report to said Board on the condition of pharmacy in the State, and providing that all fees for examination shall be paid in advance of such examination, and declaring an emergency."

S. J. R. No. 3, declaring that the Governor and the Attorney General of this State in addition to the authority conferred upon them respectively by the Constitution and statutes of the State, are directed to institute suit in the Supreme Court of the United States for the purpose of determining and settling the boundaries between the State of Oklahoma and the State of Texas and the preservation of the rights of the State and its citizens and those owning property under and by virtue of the Constitution and laws of the State, etc."

S. B. No. 145, A bill to be entitled "An Act creating a more efficient road system for Wichita County, Texas, and making the county commissioners of said county ex-officio road commissioners and prescribing their duties as such, etc., and declaring an emergency."

S. B. No. 164, A bill to be entitled "An Act making appropriation of the sum of fifteen thousand dollars (\$15,000), or as much thereof as may be necessary to pay the contingent expenses of the Second Called Session of the Thirty-sixth Legislature of the State of Texas, providing how accounts may be approved, and declaring an emergency."

S. B. No. 88, A bill to be entitled "An Act to amend Chapter 1, Title 85, Revised Civil Statutes of Texas, 1911, as amended by Chapter 140, Session Laws of 1913, relating to the Library and Historical Commission, by amending Articles 5600, 5601, 5602, 5602a, 5606, 5607a and 5608, and adding Articles 5601a, 5601b, 5601c and 5601d, and declaring an emergency."

S. B. No. 130, A bill to be entitled "An Act to make certain emergency appropriations out of the general revenue for the State Ranger Force for the fiscal year ending August 31, 1919; and declaring an emergency."

S. B. No. 114, A bill to be entitled

"An Act to amend Sections 1 to 9, inclusive, Chapter 68, of the General Laws of the Thirty-second Legislature, passed at the Regular Session thereof, being 'An Act to provide for the protection of the fish and oysters within the tide water limits along the Gulf Coast of this State from the most interior points of tide water seaward co-extension with the jurisdiction of the State and the fish in such fresh water lakes as may be owned by the State and the fish in such fresh water lakes as may be owned by the State; and to provide for the sale and protection of all marl and sand of commercial value and all shells or mudshell that may be in or upon the bottoms of any lake, bay and shallow water and in or upon all islands, reefs and bars that may be within the limits herein defined, etc., and declaring an emergency."

S. B. No. 61, A bill to be entitled "An Act to amend Article 2909f, Title 48, Chapter 20, of the Revised Civil Statutes of the State of Texas, so as to provide that any text-book contractor shall make a bond of twenty thousand (\$20,000) dollars for each basal text-book adopted, and three thousand (\$3,000) dollars for each supplementary text-book adopted; providing that the contract and bond shall be prepared by the Attorney General, payable in Travis County; providing that the bond may be sued upon from time to time; providing that the Textbook Commission may, upon twenty days' notice, require a new bond to be given."

S. B. No. 36, A bill to be entitled "An Act making it the duty of all owners or operators of oil or gas well to keep books, showing accurately the amount of oil and gas produced and disposed of, with the price for which the same was sold, together with the receipts from the sales or transfer of leases or other property, and the disbursements made in connection with, or for the benefit of such business; which books shall be kept open for the inspection of the Railroad Commissioners or and accredited representative thereof, and of any stockholder or shareholder, royalty owner in said business, and requiring such owner or operator of such oil or gas wells to report such information to the Railroad Commission of Texas for its information only, when required by the Commis-

sion to do so; further requiring any person, firm, partnership, joint stock association, corporation or other organization, domestic or foreign, operating wholly or partially within this State acting as principal or agent for another, for the purpose of drilling, owning or operating any oil or gas well, or owning or controlling leases of oil and mineral rights or the transportation of oil or gas by pipe lines, to immediately file with the Railroad Commission of Texas, at Austin, the name of the company or organization, giving the name and postoffice address of the organization, and the names of postoffice addresses of the officers and directors thereof; fixing the penalty for the violations of the provisions of this Act; fixing the salary of each Railroad Commissioner for the additional services required of said Commissioners in the administration and enforcement of the pipe line law and the oil and gas conservation law; providing the manner of payment thereof and designating the fund from which such salaries and other necessary expenses shall be paid; and declaring an emergency."

S. B. No. 161, A bill to be entitled "An Act to create a more efficient road system for Red River County, Texas, adopting certain provisions of Chapter 2, Title 18, Revised Civil Statutes of 1911, as amended and added to by Chapter 203, Acts of the Regular Session of the Thirty-first Legislature, and Chapter 18 of the Fourth Called Session of the Thirty-fifth Legislature, except as herein provided, etc., Providing that this Act shall be cumulative of all general laws on the subject treated herein and of the special road laws of Red River County, except repealing Chapter 31, Special Laws of the Regular Session of the Thirty-fourth Legislature, and declaring an emergency."

S. B. No. 107, A bill to be entitled "An Act creating the office of Game, Fish and Oyster Commissioner; providing for his appointment; prescribing his qualifications defining his duties; authorizing the appointment of deputies; prescribing their qualifications; defining their powers and duties; and for the protection of fish, oysters, turtle, tarrapin, shrimp, crabs, clams, mussels lobsters and all other kinds and forms of marine life, in public fresh water, tidal and coast

waters of the State, and to protect the natural oyster beds and reefs and to provide for the location of private beds; prescribing the terms, tax and conditions upon which fish, shrimp, crabs, clams, turtle, tarrapin, mussels, lobsters and all other forms and kinds of marine life may be taken from the waters of this State; provided that this Act shall be construed to be a continuation of all former laws upon the subject; and providing that all suits now pending involving laws affected by this Act shall not abate but shall be prosecuted under such former laws and under this Act; fixing the penalties for violations of this Act and declaring an emergency."

S. B. No. 147, A bill to be entitled "An Act to amend Section 1 of Chapter 147 of the Acts of the Regular Session of the Thirty-fourth Legislature, relating to the duties of tax collectors to prepare and mail notices and statements of delinquent taxes against lands to the record owners thereof; the preparation and perfecting of the delinquent tax records of various counties and the compensation of the collector therefor; relating to the duties of the county and district attorneys in respect to instituting suits for the collection of delinquent taxes and the compensation they shall receive therefor, so as to require and provide that the notices to the record owners of real estate against which taxes are delinquent may be mailed by the tax collector to the addresses of such owners during the months of April and May each year, or as soon thereafter as practicable; and prescribing the contents of such notices; and to amend Section 3 of said chapter so as to provide that the county attorney of each county in the State or the district attorney in counties having no county attorney, shall file suit for the collection of taxes delinquent against any lands or lots situated in such county, together with interest, penalties and cost then due, as soon as practicable after the expiration of ninety days from the date of notice mailed to the delinquent owner thereof by tax collector under the provisions of this Act; repealing all laws in conflict herewith, and declaring an emergency."

S. B. No. 49, A bill to be entitled "An Act to amend Section 1 of Chapter 159 of the laws passed at the reg-

ular session of the Thirty-sixth Legislature establishing a State Home for Dependent and Neglected Children so as to provide that the Lieutenant Governor shall be a member of the Board to select a site for said institution, and declaring an emergency."

S. B. No. 85, A bill to be entitled "An Act to amend Chapter 150 of the laws of the Thirtieth Legislature of the State of Texas, 1907, by adding Section 91, providing that under emergency conditions, transfers of the State School apportionment of a child of school age may be made from any county of the State to any other county of the State, with the approval of the State Superintendent and of the State Board of Education, and that children so transferred shall share in the apportionment of the county funds of the county to which they are transferred, and declaring an emergency."

S. B. No. 140, A bill to be entitled "An Act making appropriations for the support of the State Government for two years beginning September 1, 1919, and ending August 31, 1921, and for other purposes, and prescribing certain regulations and restrictions in respect thereto; and declaring an emergency."

S. B. No. 126 A bill to be entitled "An Act to provide for the Live Stock Sanitary Commission of Texas or its authorized representatives to sell the hides of any predatory animals killed under the authority of Chapter 107 of the Acts of the Regular Session of the Thirty-sixth Legislature, and remit such funds to the State Treasurer, and such funds be set apart to be drawn and used by the Live Stock Sanitary Commission for the further eradication of predatory animals, under authority of said Chapter 107; and declaring an emergency."

S. B. No. 92, A bill to be entitled "An Act to amend Sections 14, 17, 19, 21, 22, 25, 28, 31, 35 and 40 of Chapter 157 of the General Laws of the Thirty-sixth Legislature passed at the Regular Session thereof being 'An Act to preserve, propagate, distribute and protect the wild game, wild birds, wild fowl of the State; to provide adequate penalties for the unlawful taking, slaughter, storage, sale, purchase or shipment thereof; to provide for the appointment of Deputy Game Commissioners and fixing their salaries; to define the duties and

powers of the Game, Fish and Oyster Commissioner and his deputies; to fix the venue of prosecution under this Act; to provide for the issuance of hunting licenses and prescribe penalties for hunting without a license; to declare that certain moneys shall belong to special Game Fund of this State and the disposition to be made of said moneys, and to repeal all laws in conflict herewith and declaring an emergency."

S. B. No. 48, A bill to be entitled "An Act to amend Article 1202 of the Code of Criminal Procedure of the State of Texas of 1911 as amended by Section 8 of Chapter 112 of the Acts of the Regular Session of the Thirty-third Legislature, approved April 2nd, 1913, and as amended by Chapter 91 of the Acts of the Regular Session of the Thirty-sixth Legislature, so as to fix the salaries of Probation officers in this State, and to re-enact said Article as amended by said Section 8 of Chapter 112 of the Acts of the Regular Session of the Thirty-third Legislature and declaring an emergency."

S. B. No. 83, A bill to be entitled "An Act to define and regulate the practice of veterinary medicine, surgery and dentistry; creating a Board of Veterinary Medical Examiners for the examining and licensing of veterminary physicians and surgeons, dentists, and prescribing their powers, duties, and qualifications; providing for the proper registration of veterinary physicians, surgeons and dentists, and providing for the revocation of their licenses and fixing suitable penalties for the violation of this Act, repealing Chapter 76 of the Acts of the Regular Session of the Thirty-second Legislature and all laws and parts of laws in conflict herewith, and declaring an emergency."

S. B. No. 57, A bill to be entitled "An Act to make certain emergency appropriations out of the general revenue for the several institutions and departments of the government for the fiscal year ending August 31, 1919, and declaring an emergency."

S. B. No. 170, A bill to be entitled "An Act creating Graford Independent School District in Palo Pinto County, Texas, defining its metes and bounds, vesting it with the rights, powers and duties and privi-

leges of districts incorporated for school purposes only under the General Law; providing for a Board of Trustees therefor, who shall be vested with all the rights of School Trustees of Independent School Districts created under the general law; and declaring an emergency."

H. B. No. 4, A bill to be entitled "An Act making appropriations to pay the salaries of officers and employes of certain eleemosynary institutions of the State, and other expenses of maintaining and conducting them for the two fiscal years beginning September 1, 1919, and ending August 31, 1921, as follows, to-wit: State Orphan Home, Confederate Woman's Home, Confederate Home, Epileptic Colony, Deaf, Dumb and Blind Institute for Colored Youths State Institue for the Training of Juveniles, Girls' Training School, Tuberculosis Sanitarium, Carlsbad; State Lunatic Asylum, State Pasteur Institute, Southwestern Insane Asylum, North Texas Hospital for the Insane, Hospital for Negro Insane, State Hospital for Crippled Children, State Farm Colony for Feeble Minded, State Bureau of Child and Animal Protection, and declaring an emergency."

H. B. No. 63, A bill to be entitled "An Act to amend Article 7819 of the Revised Civil Statutes of the State of Texas, 1911, as the same was amended by Chapter 37 of the General Laws of the First Called Session of the Thirty-third Legislature, defining who are public warehousemen and warehouses, and repealing Article 7827 of the Revised Civil Statutes of the State of Texas, 1911, as the same was amended by Chapter 37 of the General Laws of the First Called Session of the Thirty-third Legislature, relating to private warehouses and the limitations of the operation under the existing law of private warehouses and the issuance of warehouse receipts by private warehouses, and adding to the existing law Article 7827a, providing that all warehouses in the State shall be under the supervision of the Commissioner of Markets and Warehouses, and subject to the provisions of Chapter 41 of the General Laws of the First Called Session of the Thirty-fifth Legislature, approved May 25, 1917; and providing further that all warehouse receipts issued by any warehouseman

in Texas shall be subject to the provisions and penalties of the Uniform Warehouse Receipts Acts passed by the Thirty-sixth Legislature, the same being Chapter 126 of the General Laws of the Regular Session of the Thirty-sixth Legislature, and declaring an emergency."

H. B. No. 29, A bill to be entitled "An Act to establish and create a Criminal Judicial District of Tarrant County, Texas, and to fix the territorial limits of said criminal judicial district, and to designate the courts that shall have jurisdiction in said judicial district of Tarrant county; to provide for the creation of the office of criminal district attorney of said criminal judicial district, and for the election, qualification, powers, compensation and expenses of office of said criminal district attorney for said district; to provide for the appointment of assistants to the said criminal district attorney, and to provide for their powers, duties and compensation; and to provide for the present county attorney of Tarrant County, Texas, to assume the duties and conduct the business of the criminal district attorney of Tarrant County, Texas, until his successor shall be elected and qualified, and repealing all laws and parts of laws in conflict with this Act, and declaring an emergency."

S. B. No. 91, A bill to be entitled "An Act to amend Article 6292 of the Revised Civil Statutes of the State of Texas of 1911, providing that the Board of Pharmacy shall be entitled to charge and collect the following fees: For the examination of an applicant for license as a pharmacist, five (\$5.00) dollars; for the examination of an applicant for license as an assistant pharmacist, two dollars and fifty cents (\$2.50); every registered pharmacist and every assistant pharmacist, who desires to continue in the pursuit of pharmacy, in this State is required annually, after the expiration of the first year of registration, and on or before the first day of January, each year to pay to the Secretary of the Board of Pharmacy a renewal fee to be fixed by the Board which shall not exceed three dollars, in return for which a renewal of registration shall be issued; providing further that the State Board of Pharmacists shall each year turn over to the State Pharmaceutical Association, for the

advancement of the science and art of pharmacy out of the annual fees collected by it, such sum as it may deem advisable, but not to exceed two dollars for each pharmacist who shall have paid his renewal fee during said year; said Act providing that said Association shall annual report to said Board on the condition of pharmacy in the State, and providing that all fees for examination shall be paid in advance of such examination, and declaring an emergency."

H. B. No. 102, A bill to be entitled "An Act regulating the sale of and defining agricultural and garden seeds and mixed seeds; requiring their proper labeling; prohibiting mixture of seeds unless so labeled; providing for the collection of samples and their examination; defining noxious weeds and foreign matter; providing that certificates of analysis by the Commissioner of Agriculture shall be prima facie evidence in certain cases and regulating the measures of damages; designating an officer for the enforcement of the law, and fixing penalties for its violation."

H. C. R. No. 23, relating to the planting of fruit trees by the Institutions of the State.

S. C. R. No. 17, relating to the establishment of a cement plant by the Penitentiary Commissioners.

H. C. R. No. 22, making appropriations to pay for frame for portrait of General U. G. McAlexander.

H. C. R. No. 24, suspending Joint Rule No. 11, relating to passage of Bills within 24 hours of the end of the Session.

Simple Resolution No. 45.

Resolved, that the President appoint two committees of three each, one to notify the Governor and one to notify the House that the Senate has completed its labors and is now ready to adjourn sine die.

CALDWELL.

The resolution was read and adopted.

Notification Committees.

The Chair appointed Senators Hertzberg, Dudley and Buchanan of Scurry as a Committee to notify the House; and Senators Dorough, Suiter and Strickland as a Committee to

notify the Governor that the Senate has completed its labors and is ready to adjourn.

Each of these committees proceeded and in due time made report that they had performed their duties.

House Notifies the Senate.

A Committee from the House appeared at the bar of the Senate and notified the Senate that the House had completed its labors and was ready to adjourn.

The Chair received the message and thanked the Committee.

Sine Die Adjournment.

At 10 o'clock p. m. Senator Dudley moved that the Senate adjourn sine die.

The motion prevailed and the Chair declared the Second Called Session of the Thirty-sixth Legislature adjourned sine die.

APPENDIX.

Petitions and Memorials.

Dallas, Texas, July 20, 1919.

To the Presiding Officer, State Senate, Austin, Texas.

Dear Sir: I beg you will cause me to be informed of the names of Senators interested pro and con concerning the Domestic Relations Court.

Yours truly,

J. A. HUNTER,

1318 Royal Street.

Austin, Texas, July 22, 1919.

Hon. W. A. Johnson, President of the Senate, Senate Chamber, Austin Texas.

Dear Sir: As directed by Simple Resolution No. 35, we have the honor to furnish information required by said resolution, to-wit:

Mr. W. C. Goddard, son of Hon. C. W. Goddard, State Health Officer, is employed temporarily in this Department, which employment will terminate August 1, 1919.

Mrs. S. H. Terrell, daughter-in-law of Hon. H. B. Terrell, Comptroller, has been employed in this Department as stenographer since February 1919.

Mrs. J. B. Alexander, daughter of

Hon. H. B. Terrell, Comptroller, is temporarily employed in this Department, which employment will terminate September 1, 1919.

Mr. Jim Ned English, a second cousin to S. W. English, is employed in the State Treasury, which employment was secured without the knowledge of the said S. W. English.

Mr. Tom English is employed as an inspector for the Live Stock Sanitary Commission, which employment dates from early in the year 1915, and for which he had the endorsement of S. W. English.

Mrs. T. M. Scott, wife of T. M. Scott, is employed in the Comptroller's office, which employment dates from September, 1918.

Trusting that the above fully complies with the requirements of the resolution, and with best wishes, we are,

Very respectfully,

T. M. SCOTT,

Secretary, State Fire Insurance Commission.

S. W. ENGLISH,

State Fire Marshal.

Austin, Texas, July 22, 1919.

Hon. W. V. Howerton, Secretary Texas Senate, Capitol.

Dear Sir: Answering Senate Simple Resolution No. 35, you are advised that no member of this Board has employed by any department of the State of Texas any relative related to such member within the second degree by affinity or within the third degree by consanguinity, nor has any member of said Board had any such relative employed in any department of said State Government during the past six months.

Very respectfully,

E. R. YORK,

Secretary, Industrial Accident Board.

Austin, Texas, July 21, 1919.

The Honorable W. A. Johnson, President of the Senate, Austin, Texas.

My Dear Mr. President: I am today in receipt of the resolution by Senator Clark, which the Senate adopted:

In so far as the resident employees of this Department are concerned, I am able to supply the information at once. There are nineteen bank examiners, however, who are constantly on the road, upon whose advice I am obliged to wait before being in a position to comply fully

with the Senate's request. As soon as I can hear from them, I will supplement this letter to you.

With reference to resident employees, I submit the following:

H. D. Hudson is the bookkeeper of the Department of Insurance and Banking. His wife, Mrs. Hudson, is a stenographer in the Commission of Appeals, Section "A."

J. L. Mims is actuary in the Department of Insurance and Banking, and is related within the second degree by affinity to Dr. Joe Gilbert, physician and surgeon for the University of Texas.

Cary E. Tharp is actuarial clerk in the Department of Insurance and Banking. His brother, B. C. Tharp, is instructor of biology at the Sam Houston Normal College at Huntsville.

Misses Birdie Martin and Ruth Baker are stenographers in this department and are related within the second degree by affinity.

Mrs. Edna Ernest, stenographer in this department, has a sister, Mrs. Leo Ehlinger, who is a stenographer in the State Land Office.

W. F. A. Ellison, clerk in this department, is related within the second degree by affinity to Miss K. C. Gray, Clerk in the Department of Education.

H. B. White, porter in this department is the son of Wm. White, porter in the Department of State.

There is no one in the employment of the State in any capacity who is related to the Commissioner of Insurance and Banking by consanguinity within the third degree, or by affinity within the second degree, nor is there any one related to him within these degree who holds any State contract, or who is employed by any one interested in any wise in any State contract.

Respectfully,

GEO. W. BRIGGS,

Commissioner of Insurance and Banking.

Austin, Texas, July 22, 1919.

Honorable W. A. Johnson, President of the Senate, Capitol.

Dear Sir: Complying with the provisions of Simple Resolution No. 35, we wish to report that we have employed in this Department at this time the following named persons whose names are requested in this resolution:

Sam H. Terrell, son of H. B. Ter-

rell, Comptroller, who has been employed since July 1, as bookkeeper in this Department at a salary of \$150.00 per month.

Eloise Thatcher, sister of Kirtley Thatcher, stenographer in the Governor's office, who has been employed as file clerk in this Department since June 18, 1917, at a salary at this time of \$80.00 per month.

William B. Logan, Assistant Division Engineer, brother of Betty Logan of this Department and Maymie Logan of the General Land Office, employed March 1, 1918, resigned to enter the service and returned to this Department in September, 1918, present salary \$150.00 per month.

Betty Logan, clerk, sister of William B. Logan of this Department and Maymie Logan of the General Land Office, employed July 2, 1917, present salary \$75.00.

Miss Fanny Hill, stenographer, sister-in-law of Stuart C. Frances, Comptroller's Department, employed April 1, 1918 at \$75.00 per month.

John Miller, chief draftsman, brother of Alice Miller, Department of Insurance and Banking, employed in June, 1917, resigned July 2, 1918 to enter the service, re-employed February 12, 1919, present salary \$150.00 per month.

Bessie Calloway, stenographer, employed February 17, 1919, grand father, C. N. Calloway, General Land Office. Miss Calloway's present salary is \$65.00 per month.

Mildred Davenport, clerk, employed April 15, 1918, present salary \$70.00, niece of A. W. Townsend, Secretary of State's Office.

Mrs. C. L. Sanford, employed April 29, 1918, clerk, present salary \$70.00, sister-in-law of A. R. Jones, General Land Office.

Vivian Franklin, employed June 17, 1918, clerk, present salary \$70.00, sister-in-law of Sam Lowe, Board of Prison Commissioners.

Respectfully submitted,

R. M. HUBBARD,

Chairman, State Highway Commission.

Austin, Texas, July 21, 1919.

Mr. W. V. Howerton, Secretary of the Senate, Capitol.

My Dear Mr. Howerton: In reply to Senate resolution concerning the employment of relatives within the second degree by affinity, or the third degree by consanguinity, will say

that neither the chief clerk nor I have any relatives of any degree whatsoever employed by the State at the present time, and have not had during our incumbency.

Very truly yours,
FRED W. DAVIS,
Commissioner of Agriculture.

Austin, Texas, July 21, 1919.

To the Honorable State Senate, Austin, Texas.

Gentlemen: I have no employe in the State Department of Education who is related to the head of any State department. Only one employe in my office is related to any one employed at the capitol. This is Miss Anne McDonald, one of my stenographers. She was in my employ before I became State Superintendent. I have no relative employed in any of the departments.

Respectfully,
ANNIE WEBB BLANTON,
State Superintendent of Public Instruction.

Austin, Texas, July 21, 1919.

Mr. W. V. Howerton, Secretary of the Senate, Capitol.

Dear Sir: Referring to Simple Resolution No. 35 by Clark, copy of which has been furnished me by you, I beg to advise that there is no person employed in any department or institution of the State Government, who is related to me either within the second degree by affinity or within the third degree by consanguinity; nor, so far as I know, any person employed by the Railroad Commission of Texas who is related within the above mentioned degrees, to the head of any other department or institution of the State Government, nor to any person employed in such other departments or institutions or holding a contract with the State for any character of service whatever.

The above also applies to the last six months.

Yours respectfully,
ALLISON MAYFIELD,
Chairman, Railroad Commission.

Austin, Texas, July 21, 1919.

To the Senate of Texas.

As per your resolution No. 35 passed by your honorable body, I hereby give my report on same.

I, the Inspector of Masonry, have no one employed in the Department;

or is there any one in any other department of the State employed, that is related to me within the second degree of affinity, or in the third degree of consanguinity in the last six months.

Very truly yours,
E. B. SNELLING,
Inspector of Masonry, Public Buildings and Works.

Committee Reports.

Committee Room,
Austin, Texas, July 23, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Finance to whom was referred

H. B. No. 229, A bill to be entitled "An Act making additional appropriation to pay the per diem and mileage of the members and per diem of the officers and employes of the Second Called Session of the Thirty-sixth Legislature of the State of Texas, convened on the 23rd day of June, 1919, by proclamation of the Governor, providing how accounts may be approved and declaring an emergency,"

Have had the same under consideration and beg leave to report it back to the Senate with the recommendation that it do pass and be not printed.

WESTBROOK, Chairman.

Austin, Texas, July 23, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Finance to whom was referred

H. B. No. 208, A bill to be entitled "An Act making appropriations for deficiencies in appropriations heretofore made for the support of the State Government for the fiscal years ending August 31, 1917 and August 31, 1918, to cover duly authorized deficiency claims registered in the office of the Comptroller of Public Accounts of the State of Texas, in accordance with the law, and declaring an emergency,"

Have had the same under consideration and beg leave to report same back to the Senate with recommendation that it do pass and be not printed.

WESTBROOK, Chairman.

Enrolling Committee Reports.

Committee Room,
Austin, Texas, July 22, 1919.
Hon. W. A. Johnson, President of
the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 166 copy of which is hereto attached and find it correctly enrolled, and have this day at 10:50 o'clock a. m., presented the same to the Governor for his approval.

SMITH, Chairman.

Committee Room,
Austin, Texas, July 22, 1919.
Hon. W. A. Johnson, President of
the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 168 copy of which is hereto attached and have this day at 10:50 o'clock a. m., presented the same to the Governor for his approval.

SMITH, Chariman.

Committee Room,
Austin, Texas, July 22, 1919.
Hon. W. A. Johnson, President of
the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 138 copy of which is hereto attached, and find it correctly enrolled, and have this day at 10:50 o'clock a. m., presented the same to the Governor for his approval.

SMITH, Chairman.

Committee Room,
Austin, Texas, July 22, 1919
Hon. W. A. Johnson, President of
the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 146 copy of which is hereto attached, and find it correctly enrolled, and have this day at 10:50 o'clock a. m., presented the same to the Governor for his approval.

SMITH, Chairman.

Committee Room,
Austin, Texas, July 22, 1919.
Hon. W. A. Johnston, President of
the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 150 copy of which is hereto attached, and find it correctly enrolled, and have this day at 10:50 o'clock a. m., presented

the same to the Governor for his approval.

SMITH, Chariman.

Committee Room,
Austin, Texas, July 22, 1919.
Hon. W. A. Johnson, President of
the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 106 copy of which is hereto attached, and find it correctly enrolled, and have this day at 10:50 o'clock a. m., presented the same to the Governor for his approval.

SMITH, Chairman.

Committee Room,
Austin, Texas, July 22, 1919.
Hon. W. A. Johnson, President of
the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 171 copy of which is hereto attached, and find it correctly enrolled, and have this day at 10:50 o'clock a. m., presented the same to the Governor for his approval.

SMITH, Chairman.

Committee Room,
Austin, Texas, July 22, 1919.
Hon. W. A. Johnson, President of
the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and Compared Senate Bill No. 63, copy of which is hereto attached, and find it correctly enrolled, and have this day at 10:50 o'clock a. m., presented the same to the Governor for his approval.

SMITH, Chairman.

Committee Room,
Austin, Texas, July 22, 1919.
Hon. W. A. Johnson, President of
the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 155, copy of which is hereto attached and find it correctly enrolled, and have this day at 2:55 o'clock p. m., presented same to the Governor for his approval.

SMITH, Chairman.

Committee Room,
Austin, Texas, July 22, 1919.
Hon. W. A. Johnson, President of
the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 163 copy

of which is hereto attached, and find it correctly enrolled, and have this day at 2:55 o'clock p. m., presented the same to the Governor for his approval.

SMITH, Chairman.

Committee Room,
Austin, Texas, July 22, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 160 copy of which is hereto attached and find it correctly enrolled, and have this day at 12 o'clock m., presented the same to the Governor for his approval.

SMITH, Chairman.

Committee Room,
Austin, Texas, July 22, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 153 copy of which is hereto attached and find it correctly enrolled, and have this day at 12 o'clock m., presented the same to the Governor for his approval.

SMITH, Chairman.

Committee Room,
Austin, Texas, July 22, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 159 copy of which is hereto attached, and find it correctly enrolled, and have this day at 2:55 o'clock p. m., presented same to the Governor for his approval.

SMITH, Chairman.

Committee Room,
Austin, Texas, July 22, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 161 copy of which is hereto attached, and find it correctly enrolled, and have this day at 9:15 o'clock p. m., presented the same to the Governor for his approval.

SMITH, Chairman.

Committee Room,
Austin, Texas, July 22, 1919.
Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 139 copy of which is hereto attached, and find it correctly enrolled, and have this day at 9:15 o'clock p. m., presented the same to the Governor for his approval.

SMITH, Chairman.

Committee Room,
Austin, Texas, July 22, 1919.
Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 158 copy of which is hereto attached, and find it correctly enrolled, and have this day at 9:15 o'clock p. m., presented same to the Governor for his approval.

SMITH, Chairman.

Committee Room,
Austin, Texas, July 22, 1919.
Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 170 copy of which is hereto attached and find it correctly enrolled, and have this day at 9:15 o'clock p. m., presented the same to the Governor for his approval.

SMITH, Chairman.

Committee Room,
Austin, Texas, July 22, 1919.
Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 145, copy of which is hereto attached and find it correctly enrolled, and have this day at 9:15 o'clock p. m., presented the same to the Governor for his approval.

SMITH, Chairman.

Committee Room,
Austin, Texas, July 22, 1919.
Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 140, copy of which is hereto attached, and find it correctly enrolled, and have this day at 9:15 o'clock p. m., presented

the same to the Governor for his approval.

SMITH, Chairman.

Committee Room,
Austin, Texas, July 22, 1919.
Hon. W. A. Johnson, President of
the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 151, copy of which is hereto attached, and find it correctly enrolled, and have this day at 4:20 o'clock p. m., presented the same to the Governor for his approval.

SMITH, Chairman.

Committee Room,
Austin, Texas, July 22, 1919.
Hon. W. A. Johnson, President of
the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 64 copy of which is hereto attached, and find it correctly enrolled, and have this day at 3:50 o'clock presented the same to the Governor for his approval.

SMITH, Chairman.

By Hopkins.

S. B. No. 64.

A BILL To be entitled

An Act to amend Article 5684, of the Revised Civil Statutes of 1911, so as to limit the time in which a person, under twenty-one years of age, or in the military or naval service of the United States, in time of war, or of unsound mind, or imprisoned may institute suit for the recovery of real estate, and by adding after said article a new article to be known as Article 5684a, so as to provide that a person having peaceable adverse possession of lands, tenements or hereditaments, the title to which has passed out of the State, using and enjoying the same, under deed or deeds duly recorded constituting a regular chain of title, for a period of twenty-five years, shall have a good marketable title thereto, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 5684 of the Revised Civil Statutes of State of Texas, of 1911, be amended so as to hereafter read as follows:

Article 5684. If a person entitled

to commence suit for the recovery of real property or to make any defense founded on the title thereto, be at the time such title shall first descend or the adverse possession commence:

(1) A person, including a married woman, under twenty-one years of age, or

(2) In time of war, a person in the military or naval service of the United States, or

(3) A person of unsound mind, or

(4) A person imprisoned, the time during which such disability or status shall continue shall not be deemed any portion of the time limited for the commencement of such suit, or the making of such defense; and such person shall have the same time after the removal of his disability that is allowed to others by the provisions of this chapter; providing that on and after the first day of November, A. D. 1920, the period of limitation shall not be extended so as to authorize any person who has the right of action for the recovery of any lands, tenements, or hereditaments to institute suit therefor against another having peaceable and adverse possession thereof, using and enjoying the same after the expiration of twenty-five years next after the cause of action shall have accrued, and provided further that this article shall in no way affect suits pending when this Act takes effect and all such suits shall be tried and disposed of under the law then in force.

Section 2. That there be added after Article 5684 of the Revised Civil Statutes of the State of Texas, of 1911, as herein amended, a new article to be known as Article 5684a, as follows.

"Article 5684a." On and after the first day of November A. D. 1920, a person who has had, and held the peaceable and adverse possession of lands, tenements and hereditaments, the title to which has passed out of the State, using and enjoying the same under deed or deeds duly recorded constituting a regular chain of title, for a period of twenty-five years immediately preceding shall have a good marketable title thereto.

Section 3. The fact that there is no limit on the time in which certain persons may bring suit for real estate and the fact that the calendars of both houses of the Legislature are

crowded creates an emergency and an imperative public necessity, calling for the suspension of the constitutional rule requiring bills to be read on three several days and said rule is hereby suspended and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Committee Room,
Austin, Texas, July 22, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 65, copy of which is hereto attached, and find it correctly enrolled, and have this day at 3:55 o'clock p. m., presented same to the Governor for his approval.

SMITH, Chairman.

By Hopkins.

S. B. No. 65.

A BILL
To Be Entitled

An Act to amend Article 1206, of the Revised Civil Statutes of 1911, so as to provide that the dissolution of a corporation shall not operate to abate any pending suit and so as to provide that suit may be maintained against the corporation as though the same had not been dissolved and service of process obtained on the president, directors, general manager, trustee, assignee or other person in charge of the affairs of such corporation at the time it was dissolved and providing that the assets of said corporation shall be subject to the payment of judgments, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 1206 of the Revised Civil Statutes of the State of Texas of 1911, be amended so as to hereafter read as follows:

Article 1206. Upon the dissolution of any corporation, unless a receiver is appointed by some court of competent jurisdiction, the president and directors or managers of the affairs of the corporation at the time of its dissolution, by whatever name they may be known in law, shall be trustees of the creditors and stockholders of such corporation, with full power to settle the affairs, col-

lect the outstanding debts, and divide the moneys and other property among the stockholders after paying the debts due and owing by such corporation at the time for its dissolution, as far as such money and property will enable them after paying all just and reasonable expenses; and to this end, and for this purpose they may in the name of such corporation, sell, convey and transfer all real and personal property belonging to such company, collect all debts, compromise controversies, maintain or defend judicial proceedings, and to exercise the full power and authority of said company over such assets and properties; and the existence of every corporation may be continued for three years after its dissolution from whatever cause for the purpose of enabling those charged with the duty to settle up its affairs; and, in case a receiver is appointed by a court for this purpose, the existence of such corporation may be continued by the courts so long as in its discretion it is necessary to suitably settle up the affairs of such corporation; provided that the dissolution of a corporation shall not operate to abate, nor be construed as abating any pending suit in which such corporation is a defendant, but such suit shall continue against such corporation and judgment shall be rendered as though the same was not dissolved, and in case no receiver has been appointed for said corporation, suit may be instituted on any claim against said corporation, as though the same had not been dissolved, and service of process may be obtained on the president, directors general manager, trustee, assignee, or other person in charge of the affairs of the corporation at the time it was dissolved by whatever name they may be known in law, and judgment may be rendered as though the corporation had not been dissolved and the assets of said corporation shall be liable for the payment of such judgment just as if said corporation had not been dissolved.

Sec. 2. The fact that under the present law the dissolution of corporation is construed as having the effect of abating any pending suits, creates an emergency and an imperative public necessity calling for the suspension of the constitutional rule requiring bills to be read on three several days and such rule is hereby suspended and this Act shall take

effect and be in force from and after its passage, and it is so enacted.

Committee Room,
Austin, Texas, July 22, 1919.
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 76, copy of which is hereto attached, and find it correctly enrolled, and have this day at 3:55 o'clock p. m., presented same to the Governor for his approval.

SMITH, Chairman.

By Hall.

S. B. No. 76.

A BILL
To be entitled

An Act to authorize the sale of certain lands and flats in and under the water of Matagorda Bay, belonging to the State of Texas, to provide the conditions and terms of the purchase thereof and for the issuance of permits and patents therefor; to authorize the dredging, deepening, widening and maintaining of channels through and across, or partially through and across, said lands and flats; prescribing method of application and survey for the purchase of said lands and flats, and providing that from and after the filing of an application for the purchase of said lands and flats, the Commissioner of General Land office shall not permit any applications for permit to prospect for petroleum, oil or natural gas in, on or under the area of waters included in such application, or any part thereof, and that such Commissioner shall not grant any right to prospect for such minerals in, on or under said area, and providing that the State shall and does reserve all the mineral that may be within the area, which reservation shall be recited in the patent to said lands; providing for placing such channels and the charges for the use of same under the jurisdiction of the Railroad Commission; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That the Commissioner of the General Land Office be and he is hereby authorized to sell those certain lands and flats in and under the

waters of Matagorda Bay, belonging to the State of Texas, upon the terms and conditions and within the limitations hereinafter provided:

Section 2. Any person, or any corporation heretofore organized, or which may hereafter be organized under the laws of the State of Texas, which has heretofore dredged a channel, or which may hereafter dredge a channel from the mainland through and across or partially across Matagorda Bay, and the lands and flats covered by the waters of said bay to give access to the Intercoastal Canal and said proposed or constructed channel to have a depth of not less than six feet, and to be not less than one hundred feet wide at the bottom, shall have the right to purchase from the State of Texas, at the rate of two dollars per acre, a strip of land occupied by and adjacent to such proposed or constructed channel not to exceed eight hundred feet in width for the entire length of said channel, extending from the mainland into Matagorda Bay, for such a distance as is necessary to enable water craft which navigate the intercoastal canal to reach said channel, which right to purchase shall include the right to drive such piling and to construct such jetties as are necessary in connection with the dredging, deepening, widening or maintaining of such channel, and the right to waste the spoil from such channel within or without the eight hundred feet so acquired.

Sec. 3. Any person or corporation desiring to purchase any of the lands hereinbefore referred to for such channel purposes under the provisions of this Act, shall file an application in writing for the survey thereof with the county surveyor of the county in which the area is situated, and said county surveyor shall, immediately upon the receipt thereof, make a survey and furnish such applicant with full field notes duly certified by him. Within ninety days after such applicant receives from said county surveyor said certified full field notes, such applicant shall file an application and said qualified field notes, together with One Dollar filing fee, in the General Land Office, together with Two Dollars per acre for each acre included in the application and field notes. Said application filed with the Commissioner of the General Land Office

shall also contain a brief description of the improvements which such person or corporation may have made, or proposes to make, on the area sought to be purchased, together with an estimate of the cost of such improvements, including the dredging of the channel; and said application shall further state that it is made in good faith, and that the applicant intends to do the work and make the improvements described within the period of time therein stated, and shall also state when or about when, such person or corporation intends to begin the work of making such improvements. The Commissioner of the General Land Office shall immediately upon receipt of such application, examine the same particularly as to the improvements made or contemplated to be made, and if upon such investigation as he desires to make, he is satisfied that such application is made in good faith, and is of the opinion that such improvements have been made, or will be made as stated in said applications, and if further of the opinion that such improvements are of a substantial nature and suitable for the purposes for which the area is desired, the Commissioner shall fix the time within which work shall begin on such improvements, if the beginning of work thereon has not already been commenced, which shall not be more than six months from the date of the approval of such application, and shall also fix the time within which such improvements shall be completed, which time shall be not more than two years from the date of the granting of such application; provided that for good cause shown, the said Commissioner may extend the time for the completion of such work, for a term not to exceed two years.

If after the investigation herein provided for, the Commissioner of the General Land Office shall be of the opinion that said application is made in good faith and that person or corporation making such application intends to do the work and make the improvements therein described within the period stated in such application, and as of the further opinion that such improvements are of a substantial nature and suitable for the purposes for which the area is desired, then the said Commissioner having fixed the time within which work shall be begun on such improvements, and the time in which

such improvements shall be completed, shall thereupon approve said application and grant the right therein applied for; provided, no patent shall issue to such applicant or to his or its successors or assigns, until the improvements provided for shall have been completed.

Section 4. Should such applicant fail or refuse to complete the improvements prescribed, within the time fixed for the completion thereof, or any extension of such time, then the said Commissioner of the General Land Office shall declare such application forfeited, and the person or corporation making such application shall forfeit to the State of Texas all rights acquired in and to the lands and flats in Matagorda Bay or the waters thereof, described in the application and field notes, together with all improvements made and all sums paid thereon.

Section 5. Should the applicant complete the improvements provided for, within the time allowed, a patent to the lands described in the application shall then be issued by the State of Texas to such applicant, or to the successors or assigns of such applicant, upon the payment of the lawful patent fee.

Section 6. All moneys received by the Commissioner of the General Land Office under the provisions of this Act, shall be transmitted by him to the State Treasurer and credited to the General Revenue.

Section 7. From and after the filing of an application with the county surveyor under this Act, and Commissioner of the General Land Office shall not receive any applications for permit to prospect for petroleum, oil or natural gas in, on or under the area of waters that may be included in said application, or any part thereof, and shall not grant or extend the right to prospect for said minerals in, on or under said area; provided that the State shall and does reserve all the minerals that may be within the area which may be acquired under this Act, which reservation shall be recited in the patents to said lands.

Section 8. If a channel should be dug under the provisions of this Act it shall be open to the ingress and egress of every ship, boat, tug or barge and every other kind of commercial transport upon such terms, rates of charges and conditions as may be prescribed by the Railroad

Commission, and said Commission shall have the same jurisdiction over such channel as is conferred upon it over railroads.

Section 9. Whereas, there is not law in the State of Texas authorizing the sale of any portion of the lands and flats belonging to the State of Texas, covered by the waters of Matagorda Bay in Texas, and on account of the shallow depth of water between the Intercoastal canal and the mainland adjacent to said Matagorda Bay, it is impossible for water crafts or boats of any appreciable capacity to reach said Intercoastal canal from the mainland or for such water crafts or boats to reach the mainland from said Intercoastal canal for the purpose of receiving and delivering freight, which condition can be remedied only by the sale of said lands and flats as herein provided; and it is deemed of great importance for the industrial development of the State of Texas that such sale be authorized, thereby creating an imperative public necessity, and an emergency exists requiring that the constitutional rule that bills be read on three several days be suspended, the same is hereby suspended, and this Act shall take effect from and after its passage, and it is so enacted.

Committee Room,
Austin, Texas, July 22, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 165 of which is hereto attached, and find it correctly enrolled, and have this day at 10:50 o'clock a. m. presented the same to the Governor for his approval.

SMITH, Chariman.

By Buchanan
of Scurry.

S. B. No. 165

A BILL To Be Entitled

An Act creating a County Court at Law for Eastland County, Texas, defining and establishing the jurisdiction of said Court and defining the jurisdiction retained by the County Court of Eastland County; providing for the term and practice for County Court at Law for Eastland County, Texas, for the election, qualification of the judge thereof and the term of same;

providing for the bond, oath of said judge and for the appointment of the judge thereof; providing for the issuance of writs and the return and service of same; providing for the appointment of Jury Commissioners, the selection of juries; the filling of the vacancies in the election of judge; the fees and salary of the judge of the County Court at Law and of the County Court of Eastland County, Texas, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. There is hereby created a Court to be held in Eastland County."

Section 2. The County Court at Law for Eastland County, shall have jurisdiction in all matters and causes, civil and criminal, original and appellate, including the general jurisdiction of the Probate Court, over which the general laws of the State of Texas, the County Court would have jurisdiction; it shall probate wills, appoint guardians of minors, idiots, lunatics, persons *no compos mentis*, and common drunkards, grant letters testamentary and of administration, settle accounts of executors, administrators and guardians; transact all business appertaining to deceased persons, minors, idiots, lunatics, and drunkards, including the settlement, partition and distribution of estates of deceased persons; and the appointment of minors as provided by law, except as is provided in Section 3 of this bill. The said Court or the judge thereof, shall have power to issue writs of injunction, mandamus, and all writs necessary to the enforcement of the jurisdiction of said court; and also to punish contempts under such provisions as are or may be provided by general law governing County Courts throughout the State. The jurisdiction of the County Court at Law for Eastland County and of the judge thereof, shall extend to all matters of eminent domain, of which the jurisdiction has heretofore invested in the County Court or the County Judge; but this provision shall not effect the jurisdiction of the commissioners court or the county judge of Eastland County, Texas, as the presiding officer of such commissioners' court, as to roads, bridges and public highways in matter of eminent domain which are now

within the jurisdiction of the commissioners' court or the judge thereof. The county judge of Eastland county shall be the judge of the county court at law for Eastland county, Texas. All ex-officio duties of the county judges shall be exercised by the county judge of Eastland county, except in so far as same shall, by this Act be committed to the judge of the county court at law for Eastland county, Texas.

Sec. 3. The county judge of Eastland county, Texas, shall retain as heretofore, all jurisdiction given under the general laws governing county judge in all the administration of the affairs of said county and as the presiding officer of said commissioners' court and nothing in this Act shall be construed so as to confer upon the county court at law for Eastland county, Texas, or the judge thereof, any jurisdiction of the financial or fiscal affairs or taxation matters of said court, the control or management of the roads, bridges, etc., or as the presiding officer of the commissioners' court.

Sec. 4. The terms of the county court at law for Eastland county, Texas, and the practice therein, and appeals and writs of error therefrom, shall be as prescribed by law relating to county courts. The terms of county courts at law for Eastland county, Texas, shall be held as now established by the terms of the county court of Eastland county, until the same shall be changed in accordance with the law.

Sec. 5. There shall be elected in said county, by the qualified voters, thereof, at said election, judge of the county court at law for Eastland county, Texas, who shall be well informed in law of the State, who shall hold his office two years and until his successor shall have duly qualified.

Sec. 6. The judge of the county court at law for Eastland county, shall execute a bond and take the oath of office as required by law for county judges, and may be appointed or elected as provided by law relating to county court and judges thereof.

Sec. 7. The county court at law for Eastland county or the judge thereof, shall have power to issue writs of injunction, mandamus, sequestration, attachment, garnishment certiorari and supersedeas, and all writs necessary to the enforcement of

the jurisdiction of said court, and to issue writs of habeas corpus, in cases where the offenses charged is within the jurisdiction of said court, or of any other court or tribunal inferior to said court.

Sec. 8. The county clerk of Eastland county shall be the clerk of the county court at law for Eastland county. The seal of the said court shall be the same as that provided by law for county courts, except that the seal shall contain the words "County Court at Law for Eastland county, Texas;" the sheriff of Eastland county shall, in person or by deputy, attend the said court when required by the judge thereof.

Sec. 9. The jurisdiction and authority now vested by law in the county court for the appointment of jury commissioners and the selection and service of jurors shall be exercised by the county court at law for Eastland county, Texas.

Sec. 10. Any vacancy in the office of the judge of the county court at law for Eastland county, may be filled by the commissioners' court of Eastland county until the next general election.

Sec. 11. The judge of the county court at law for Eastland county, shall collect the same fees as are now established by law, relating to county judges and such ex-officio compensations for holding county court as the commissioners' court of said county shall prescribe and authorize. The county judge of Eastland county, Texas, shall hereafter receive all such fees as are allowed him under the general laws and such salary for the ex-officio duties of his office as may be allowed him by the commissioners' court of said county.

Sec. 12. The fact that the discovery of oil in Eastland county in unusual quantities has increased the business of the Probate court of Eastland county, Texas, and the work and business of same and the work and business of the commissioners' court in said county, to such unprecedented degree and the work of the probate court and the commissioners' court and of the civil and criminal courts is so large as to make it necessary for said courts to dispose of same in an expeditious manner and the congestion of business of said courts seriously obstructs the law in said courts together with the crowded

condition of the calendar and the near approach of the end of the session of the Legislature creates an emergency and an imperative public necessity which requires that the constitutional rule requiring bills to be read on three several days be suspended, and it is so suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Committee Room,
Austin, Texas, July 22, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 60, copy of which is here attached, and find it correctly enrolled, and have this day at 10:50 oc'clock a. m., presented the same to the Governor for his approval.

SMITH, Chairman.

By Buchanan S. B. No. 60.

A BILL
To Be Entitled

An Act to amend Article 3889 of the Revised Civil Statutes of 1911, as said article was amended by House Bill No. 449, Chapter 158 of the Regular Session of the Thirty-sixth Legislature of the State of Texas, relating to the maximum fees that may be retained by the county judge, sheriff, clerk of the county court, county attorney, clerk of the district court, collector of taxes assessor of taxes, justices of the peace, and constables in counties of this State having a population of less than twenty-five thousand; and providing for the fees of such county officers in all counties of such population that constitute a separate judicial district; and declaring emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 3889 of the Revised Civil Statutes of 1911, as amended by Section 3 of House Bill No. 449, Chapter 158 of the Acts of the Thirty-sixth Legislature at its Regular Session be amended so that same shall hereafter read as follows:

Article 3889. Each officer named in this Chapter shall first, out of the fees of his office, pay or be paid the amount allowed him under this provisions of this Chapter, together with

the salaries of his assistants or deputies. If the fees of such office collected in any one year be more than the amount needed to pay the amount allowed such officer and his assistants and deputies, same shall be deemed excess fees and such excess fees such officer in counties having less than twenty-five thousand inhabitants shall retain one-fourth until such one-fourth amounts to the sum of Twelve Hundred Dollars; and in counties having between twenty-five and thirty-eight thousand inhabitants such officer shall retain one-fourth of the excess fees until such one-fourth amounts to the sum of Twelve Hundred and Fifty Dollars; and in counties having more than thirty-eight thousand inhabitants such officer shall retain one-fourth of the excess fees until such one-fourth amounts to the sum of Fifteen Hundred (\$1500.00) Dollars. Such population to be based on the United census next preceding and given year. All fees collected by officers named in Article 3881 to 3886 of the Revised Statutes of 1911 during any fiscal year in excess of the maximum amount allowed by law, and of the one-fourth of the excess of the maximum amount allowed for their services, and for the services of their deputies or assistants as herein provided for shall be paid into the county treasury of the county where the excess accrued, provided that in counties of less than twenty-five thousand inhabitants by such last preceding United States census, and which counties constitute a separate judicial district. "The chief deputy or first assistant of the officers named in this Chapter shall receive a sum not to exceed a rate of eighteen hundred dollars per annum, and the other deputies or assistants a sum not to exceed a rate of fifteen hundred dollars per annum, and the limitation as to the pay of deputies and assistants elsewhere, provided, in this Chapter shall not apply in such counties."

Sec. 2. The fact that in counties of less than twenty-five thousand inhabitants and constituting a separate judicial district, unprecedented work is to be done and unusual labor conditions exist, that make it impossible to obtain and keep competent assistants and deputies at salaries provided for in the law as it now stands on the statutes, creates on emergency and an imperative public necessity re-

quiring that the rule providing that bills be read on three several days in each House be suspended, and that this Act become effective from and after its passage, and such is hereby suspended.

Committee Room,
Austin, Texas, July 22, 1919.
Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bill have carefully examined and compared Senate Bill No. 47, copy of which is hereto attached, and find it correctly enrolled, and have this day at 10:50 o'clock, a. m., presented the same to the Governor for his approval.

SMITH, Chairman.

By Caldwell. S. B. No. 47

A BILL
To be Entitled

An Act to authorize and direct the Secretary of State to exchange court reports, session act, and other publications of the State for like publications of other States and of the United States and of foreign countries, for the benefit of the Law Library of the University of Texas, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. The Secretary of State is hereby authorized and directed in addition to the exchanges he is now authorized to make under existing law, to make exchanges of the reports of the several appellate courts of this State, of the Supreme Court and the Court of Criminal Appeals, of the Session Acts of the Legislature, of the existing and future revised Civil and Criminal Statutes of this State, and of other State publications and department reports of this State, for the court reports, session act, revised statutes, civil and criminal, and other State publications and department reports of the United States Government, of the other states of the Union, and of foreign countries, for the benefit of the Law Library of the University of Texas provided that the Secretary of State shall always keep on hand a sufficient number of copies of all State publications to meet the reasonable current demands of the State.

Sec. 2. The fact that the Secretary of State now has on hand a large number of volumes of the reports and publications named in the foregoing section, which are deteriorating in value where they now are, and for which there is little demand, and the further fact that the University of Texas is now compelled to buy the necessary books for the Law Library at current market prices, many of which can be secured by exchange at a very greatly reduced expense to the State, the fact that this is a special session, and the crowded condition of the calendar and near approach of the end of the session, creates an emergency and an imperative public necessity demanding the suspension of the constitutional rule requiring bills to be read on three several days in each House, and it is so suspended, and that this act take effect and be in force from and after its passage and it is so enacted.

Committee Room,
Austin, Texas, July 22, 1919.
Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bill have carefully examined and compared Senate Bill No. 155, copy of which is hereto attached, and find it correctly enrolled, and have this day at 10:50 o'clock a. m., presented the same to the Governor for his approval.

SMITH, Chairman.

By Cousins. S. B. No. 135.

A BILL
To be Entitled

An Act to amend Chapter 28 of the Acts of the Thirty-fifth Legislature, First Called Session, approved May 19, 1917, amending Chapter 15, Title 48 of the Revised Civil Statutes of the State of Texas, by adding Article 2815c, so as to provide that said Article 2815c shall not be applicable in case of any city which votes to extend its city limits without affecting an adjacent school district or districts, a portion or portions of which may be included within such city limits as extended and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 2815c of

Chapter 15, Title 48 of the Revised Civil Statutes of the State of Texas as enacted by Chapter 28 of the Acts of the First Called Session of the Thirty-fifth Legislature, approved May 19, 1917, be amended so as to read as follows:

Article 2815c. Whenever the limits of any incorporated city or town within this State, which city or town constitutes an independent school district, shall be so extended or enlarged, or shall have been so extended or enlarged, as to embrace within the limits of such incorporated city or town the whole or any part of any independent or common school district adjacent to such incorporated city or town, that portion of such adjacent independent or common school district so embraced within the corporate limits of such incorporated city or town, shall thereafter become a part and portion of the independent school district constituted by such incorporated city or town.

Provided, however, that if such independent or common school district so brought, in whole or in part, within the limits of such incorporated city or town, shall have an outstanding bonded indebtedness, then such incorporated city or town shall become bound and liable for the payment of such proportion of the bonded indebtedness of such independent or common school district as the assessed value of the portion of such independent or common school district so brought within the incorporated limits of such city or town, shall bear to the whole assessed values of such independent or common school districts so encroached upon, as such assessed values are shown upon the last preceding county tax assessment rolls; and thereafter, such incorporated city or town shall pay either directly or through the officer of such independent or common school district, the proportion of the interest and principal of such bonded indebtedness for which they so become liable.

If within the portion of such independent or common school district so brought within the limits of an incorporated city or town there should be situated any real property belonging to such independent or common school district such city or town may acquire the same upon such terms as

may be mutually agreed upon between the city council of such city and the authorities of such independent or common school district.

Provided, further, however, that none of the provisions of this article shall be applicable where it shall be determined at an election held within such incorporated city or town any majority vote of those voting thereon that the territory or any portion thereof to be taken into the limits of such incorporated city or town shall not thereby become a part and portion of the independent school district constituted by such incorporated city or town, but shall be taken into the city limits for municipal purposes only, and shall remain for school purposes, a portion of the adjacent independent or common school district, as though said city limits had not been extended.

Sec. 1a. In all cases where any town or village has heretofore been incorporated or may hereafter be incorporated for free school purposes only and which shall include within the limits thereof any portion or portions of any common school district which has an outstanding bonded indebtedness, then such town or village, incorporated for school purposes only, shall become bound and liable for the payment of such proportion of the bonded indebtedness of the common school district as the assessed value of the portion of such common school district included within the limits of the district so incorporated for free school purposes only, shall bear to the entire assessed value of the common school district from which the same was taken, as such assessed values are shown upon the last preceding county tax assessment roll; and thereafter such incorporated town or village shall pay either directly or through the officers of such common school district the proportion of the interest and principal of such bonded indebtedness for which it is liable.

Section 2. The fact that there is now no method prescribed by law for adequately determining the status of lands constituting an independent or common school district when brought within the limits of an incorporated city or town, and the crowded condition of the calendar, and the short period remaining before the adjournment of the Legislature, constitutes an emergency, and an imperative

public necessity, requiring that the constitutional rule requiring bills to be read in both Houses on three several days, be suspended and that this bill be in force from and after its passage, and it is so enacted.

Committee Room,

Austin, Texas, July 22, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 124, copy of which is hereto attached, and find it correctly enrolled, and have this day at 10:50 o'clock a. m. presented the same to the Governor for his approval.

SMITH, Chairman.

By Dudley.

S. B. No. 124.

**A BILL
To Be Entitled**

An Act to diminish the civil and criminal jurisdiction of the county court of Menard County; to conform the jurisdiction of the district court thereto; and to repeal all laws in conflict herewith; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That the county court of Menard county shall have and exercise the general jurisdiction of probate court, shall probate wills, appoint guardians of minors, idiots, lunatics, persons non compos mentis and common drunkards, grant letters testametary and of administration, settle accounts of executors, administrators and guardians, and transact all business pertaining to estate of deceased persons, minors, idiots, lunatics, persons non compos mentis and common drunkards, including partition, settlement and distribution of estates of deceased persons and to apprentice minors as provided by law, and to issue all writs necessary for the enforcement of its own jurisdiction, to punish contempt under such provisions as are now or may be provided by the general law governing county courts, throughout the State, but the said county court of said Menard county shall have no other jurisdiction, civil or criminal, whatsoever.

Sec. 2. That the district court of Menard county shall have and exer-

cise jurisdiction in all civil and criminal matters and causes over which by the law of this State, the county court of said county would have jurisdiction, except as provided in Section 1 of this Act, all causes, other than probate matters and such as are provided in Section 1 of this Act, be and are hereby transferred to the district court of Menard county, and all writs and process relating to any civil or criminal matters included in the subject matter of jurisdiction prescribed in Section 1 of this Act, issued by or out of the said county court of Menard county, be and the same are hereby made returnable to the next term of the district court of said county after this Act takes effect.

Sec. 3. That the county clerk of Menard county be and he is hereby required within thirty days after this Act takes effect to make a full and complete transcript of all entries upon his civil and criminal docket heretofore made in causes which by Section 2 of this Act are required to be transferred to the district court of said county, together with all the papers to such cause pertaining, a certified bill of costs in such case and all such cases shall immediately be docketed by the district court as appearance for the next succeeding term, and all criminal cases shall be docketed and disposed of in the same manner as if the same had been originally triable in said district court, and all process now issued and returnable to said county court shall be returnable to said district court.

Sec. 4. That this Act shall not be construed to in anywise or in any manner effect judgments heretofore rendered by said county court of Menard County pertaining to matters and causes which by Section 2 of this Act are returnable to the district court of said county, but the county clerk of said county shall issue all executions and orders of sale, and proceedings hereunder shall be as valid and binding to all intents and purposes as though the change had not been made as by Section 2 therein contemplated.

Sec. 5. All laws and parts of laws in conflict herewith be and the same are hereby repealed.

Sec. 6. Owing to the great inconvenience and expense to the people of Menard county and the almost unanimous demand of the citizens of said

county that said jurisdiction be diminished, an emergency is created and an imperative public necessity exists that the constitutional rule requiring bills to be read on three several days be suspended, and it is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Committee Room,
Austin, Texas, July 22, 1919.
Hon. W. A. Johnson, President of
the Senate.

Sir: We, your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 49, copy of which is hereto attached, and find it correctly enrolled and have this day at 9:15 o'clock p. m. presented the same to the Governor for his approval.

SMITH, Chairman.

By Caldwell.

S. B. No. 49.

A BILL
To Be Entitled

An Act to amend Section 1 of Chapter 159 of the laws passed at the Regular Session of the Thirty-sixth Legislature, establishing a State Home for Dependent and Neglected Children, so as to provide that the Lieutenant Governor instead of the Governor shall be a member of the board to select a site for said institution and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Section 1 of Chapter 159 of the laws passed at the Regular Session of the Thirty-sixth Legislature, and approved on April 1, 1919, be amended so as to hereafter read as follows:

"Section 1. That there be established and maintained at some place in the State of Texas to be selected by the Lieutenant Governor Comptroller and Superintendent of Public Instruction, where suitable farm lands may be secured, a home or homes upon the cottage plan for the proper care, education and training of dependent and neglected white children, to be known as The State Home for Dependent and Neglected Children. And the Lieutenant Governor, together with the Comptroller and State Superintendent of Public Instruction, shall constitute a Board for the purpose of selecting a

site and having said buildings erected and shall have full power and authority to do and perform the things necessary to carry out the purposes of this Act."

Sec. 2. The fact that this is a Special Session, the importance of the subject matter of this legislation, and the near approach of the end of the session, together with the crowded condition of the calendar, create an emergency and an imperative public necessity demanding the suspension of the constitution rule requiring bills to be read in each House on three several days, be suspended, and it is so suspended and that this Act be in force and effect from and after its passage and it is so enacted.

Committee Room,
Austin, Texas, July 22, 1919.
Hon. W. A. Johnson, President of
the Senate.

Sir: We, your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 86, copy of which is hereto attached, and find it correctly enrolled, and have this day at 9:15 o'clock p. m., presented the same to the Governor for his approval.

SMITH, Chairman.

By Dayton, Alderdice. S. B. No. 86.

A BILL
To be entitled

An Act to amend Chapter 104, Acts of the Thirty-fifth Legislature, 1917, by providing for registration and statistical reports of teachers, superintendents, principals and other school officers in all schools supported wholly or partly by the State of Texas and providing for the withholding of the salary of said teachers, superintendents, principals and other school officers until such reports are made, after due notice has been given, providing penalties for failure to comply with the provisions of this Act and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Section 1 of Chapter 104, Acts of the Thirty-fifth Legislature, 1917, passed at the regular session be amended to read as follows:

Sec. 1. The State Superintendent of Public Instruction shall require of judges acting as ex-officio county

superintendents of public schools, of county, city and town superintendents, of county and city treasurers and depositories, and of treasurers and depositories of school boards, and of other school officers and teachers such school reports relating to the school fund and to other school affairs as he may deem proper for collecting information and advancing the interests of the public schools, and shall furnish the county, city and town superintendents, treasurers, and depositories, and other school affairs as he may deem proper for collecting information and advancing the interests of the public schools, and shall furnish the county, city and town superintendents, treasurers, and depositories, and other school officers and teachers for the use of such teachers and officers the necessary blanks and forms for making such reports and carrying out such instructions as may be required by them. All teachers, librarians, school presidents, superintendents, principals, or other school officers employed by all schools supported wholly or partly by the State, shall fill out and send to the State Department of Education, before the expiration of the first school month of each annual session, a registration card, supplied by the State Department of Education, which card shall furnish blanks for useful statistical information, and said teachers, librarians, school presidents, superintendents, and principals shall not be paid the salary for the first month's service, except on the presentation of a receipt certifying that the said registration card has been received by the State Department of Education; provided also that any teacher, librarian, school president, superintendent, principal or other school officer employed in any school supported wholly or partly by the State of Texas, on changing his position from one school to another at any time during the school session, shall not be entitled to receive the first month's salary in any new position except on presenting a receipt from the State Department of Education certifying that he has filed with the State Department of Education another registration card giving information as to the said change of position. The monthly salary of any county judge acting as ex-officio county superintendent of public schools, of any county, dis-

trict, city or town superintendent, or principal, of any teacher, or librarian in any school supported wholly or partly by the State of Texas, or any assessor, county treasurer, treasurer in county school depository or treasurer of any school district depository, shall be withheld by the officials or authorities paying the said salary, on notification by the State Superintendent of Public Instruction that said county judge, acting as ex-officio county superintendent of public schools, county, district, city or town superintendent or principal, teacher, librarian assessor, county treasurer of county school depository or treasurer of school district depository has refused or failed to make the reports required of him; provided that this notification shall not be sent by the State Superintendent until at least two written requests have been made for the desired information and until thirty days have elapsed from the time of the first request without the receipt of the information required; in such case the aforesaid monthly salary shall be withheld until a notice is received from the State Superintendent, certifying that the information requested has been furnished by the delinquent person.

An employe of the State or of any district, county, city, town, or school, who may be responsible for the payment of the salary of any county judge acting as ex-officio county superintendent of public schools, of any county, district, or town superintendent of principal, or other school officer, or any teacher, librarian, assessor, county treasurer, treasurer of county school depository, or treasurer of school district depository after notice by the State Superintendent that the said person has failed to comply with the provisions of this Act shall be deemed guilty of a misdemeanor and shall on conviction be fined in any sum not less than \$50.00 nor more than \$500.00, and the State Superintendent of Public Instruction may withhold warrants for further payment of State apportionments until the aforesaid officials have made satisfactory reports as herein provided.

Section 2. The crowded calendar of the special session and the fact that many schools will open their sessions during the first week of September, and the necessity in reconstruction work for information as to school conditions creates an emer-

gency and an imperative public necessity which requires that the constitutional rule providing that bills shall be read on three several days be suspended, and said rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Committee Room,
Austin, Texas, July 22, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 88, copy of which is hereto attached and find it correctly enrolled, and have this day at 9:15 p. m., presented the same to the Governor for his approval.

SMITH, Chairman.

By Dayton.

S. B. No. 88.

A BILL
To be entitled

An Act to amend Chapter 1, Title 85, Revised Civil Statutes of Texas, 1911, as amended by Chapter 140, Session Laws 1913, relating to the Library and Historical Commission, by amending Articles 5600, 5601, 5602, 5606, 5607a and 5608, and adding Articles 5601a, 5601b, 5601c, 5602a and 5609b.

Be it enacted by the Legislature of the State of Texas:

Section 1. That from and after the passage of this Act, Articles 5600, 5601, 5602, 5606, 5607a and 5608 of Chapter 1, Title 85, Revised Civil Statutes of Texas, 1911, as amended by Chapter 140, laws of 1913 be amended, and that Articles 5601a, 5601b, 5601c, 5602a, and 5609b be added thereto, the articles above mentioned to read as follows:

Article 5600. Commission, how constituted. The Governor, shall, by and with the advice and consent of the Senate, appoint five persons who shall constitute the Texas Library and Historical Commission. Appointments shall be made for the term of six years, except appointments to fill vacancies, which shall be made by the Governor for the unexpired term. Provided: That

The members of the Commission shall at their first meeting be divided by lot into three groups, two members to serve two years, two four years, and one six years from the date of appointment, and that

all appointments shall thereafter be for six years.

Article 5601. Meetings: Compensation. The Commission shall hold at the State Capitol at least one regular meeting annually, and as many special meetings as may be necessary. Each member of the Commission shall receive while in attendance at the meetings of the Commission a per diem of \$5.00, and the actual expenses incurred in attending the meetings.

Article 5601a. State Librarian: appointment, qualifications, compensation. The Commission shall elect a State Librarian, who shall not be of their number and who shall be a trained and experienced librarian of administrative ability. Said State Librarian shall serve at the will of the Commission and shall give to the Governor an acceptable bond in the sum of five thousand (\$5,000.00) dollars for the proper care of the State Library and its equipment. In addition to his salary, the State Librarian shall be allowed his actual expenses when traveling in the service of the Commission. Such expenses shall be certified to under oath in the same form as other accounts of the State Library.

The term, "trained and experienced librarian" is for the purpose of this law defined as a man or woman who shall have had at least one year's training in a library school and at least three years' administrative experience as head of a free public or institutional library, or as an assistant of high rank in such library.

Article 5601b. The Commission shall appoint an assistant librarian who shall rank as head of a department and who in the absent of the State Librarian may sign and certify accounts and documents in the same manner and with the same legal authority as the State Librarian.

The said assistant librarian shall give acceptable bond to the Governor in the sum of \$3,000 and shall take oath of office in the same manner as the State Librarian.

Article 5601c. Assistants in the State Library: appointment and qualification. Assistants in the State Library shall be appointed by the Library and Historical Commission and shall be divided into four grades: Heads of departments, library assistants, clerks, and laborers. Heads of departments and library assistants shall be required to have technical

library training; heads of departments shall have had at least one year of experience in library work prior to appointment. Clerks shall be required to hold a diploma from a first class high school according to the standard of the State Department of Public Instruction or the University of Texas, or to present satisfactory evidence of educational training equal to that provided by such high school, and also to present satisfactory evidence of proficiency in stenography and typewriting or book-keeping. Laborers must present satisfactory evidence of education sufficient to do such elementary work as shall be required of them.

Provided: That the archivist must present satisfactory evidence of one year's advanced work in American or Southwestern history in a standard college and of a fluent reading knowledge of Spanish and French; and that the Archivist is not required to have technical library school training or any library experience.

Article 5602. Powers and duties of the Commission: The Commission is authorized and empowered to purchase within the limits of the annual appropriation allowed by Act of the Legislature from time to time, suitable books, pictures, etc., the same to be the property of the State. The Commission shall give advice to such persons as contemplate the establishment of public libraries, in regard to such matters as the maintenance of public libraries, selection of books, cataloguing, and library management. The Commission shall conduct library institutes, and encourage library associations.

Article 5602a. Style: official seal. The style of the Library governed by the State Library and Historical Commission shall be "Texas State Library." A circular seal of not less than one and one-half inches, and not more than two inches in diameter bearing a star of five points, surrounded by two concentric circles, between which are printed the words, "Texas State Library," is hereby designated as the official seal of the Texas State Library; and the seal above designated shall be used in authentication of the official acts of the State Library.

Article 5606. Duties of the State Librarian. The duties of the State Librarian, acting under the direction

of the Texas Library and Historical Commission, shall be as follows:

First. He shall record the proceedings of the Commission, keep an accurate account of its financial transactions, and perform such other duties as may be assigned him by said Commission.

Second. He shall have charge of the State Library and all books, pictures, documents, newspapers, manuscripts, archives, relics, memorabilia, flags, etc., therein contained.

Third. He shall endeavor to collect all manuscript records relating to the history of Texas in the hands of private individuals, and where the originals cannot be obtained he shall endeavor to procure authenticated copies. He shall be authorized to expend the money appropriated for the purchase of books relating to Texas, and he shall seek diligently to procure a copy of every book, pamphlet, map or other printed matter giving valuable information concerning this State. He shall collect portraits or photographs of as many of the prominent men of Texas as possible. He shall endeavor to complete the files of the early Texas newspapers in the State Library; and he shall cause to be bound the current files of not less than ten leading newspapers of the State, and the current files of not less than four leading newspapers of other states and of as many of the county papers, professional journals, denominational papers, agricultural papers, trade journals and other publications of this State as seem necessary to preserve in the State Library an accurate record of the history of Texas.

Fourth. He shall demand and receive from the officers of State departments having them in charge, all books, maps, papers, manuscripts, documents, memoranda, and data not connected with or necessary to the current duties of said officers, relating to the history of Texas, and carefully classify, catalogue and preserve the same. The Attorney General shall decide as to the proper custody of such books, etc., whenever there is any disagreement as to the same.

Fifth. Any state, county or other official is hereby authorized and empowered in his discretion to turn over to the State Library for permanent preservation therein any official books, records, documents, or

iginal papers, maps, charts, newspaper files and printed books not in current use in his office, and the State Librarian shall receipt for same.

Sixth. The State Librarian shall endeavor to procure from Mexico the original archives which have been removed from Texas and relate to the history and settlement thereof, and in case he can not procure the originals, he shall endeavor to procure authentic copies thereof. In like manner, he shall procure the originals or authentic copies of manuscripts preserved in other archives beyond the limits of this State, in so far as said manuscripts relate to the history of Texas.

Seventh. He shall preserve all historical relics, mementos, antiquities, and works of art connected with and relating to the history of Texas, which may in any way come into his possession as State Librarian. He shall constantly endeavor to build up an historical museum worthy of the interesting and important history of this State.

Eight. He shall make and certify to copies of papers or documents in the State Library, upon application of any person interested, and shall charge the same fees as are allowed the Secretary of State for similar services. And such certified copies of papers and documents shall be received in evidence by the courts the same as like papers and documents of other State departments. He shall collect all such fees in advance and turn them over to the State Treasurer in the form required by law, and shall be authorized to approve the vouchers for all expenditures made in connection with the State Library.

Ninth. He shall give careful attention to the proper classification, indexing and preserving of the official archives that are now or may hereafter come into his custody.

Tenth. He shall make a biennial report to the Texas Library and Historical Commission, to be by them transmitted to the Governor, to be accompanied by such historical papers and documents as he may deem of sufficient importance.

Eleventh. He shall ascertain the condition of all public libraries in this State, and report the results to the commission. He is authorized in his discretion to withhold from libraries refusing or neglecting to furnish

their annual reports or such other information as may request, public documents furnished the Commission for distribution, or interlibrary loans desired by such libraries.

Article 5607a. That until a permanent State agency for the distribution of State documents to the public and institutional libraries of Texas and the exchange with libraries elsewhere shall be provided for by law, 150 copies of all annual, biennial and special reports of State departments, boards, and institutions, findings of all investigations, bulletins, circulars, laws issued as separates, legislative manuals, 75 copies of all daily legislative journals, bound journals, bills, resolutions, session laws and compiled statutes, and 150 copies of all other publications, except routine business forms and court reports shall be delivered by the State Contract Printer to the State Library for distribution and exchange. All requisitions for such publications as must by law be approved by the State Expert Printer or other official or officials performing the duties appertaining to the State Expert Printer, shall be sent to him in duplicate, one copy to be kept for his files, the other to be delivered to the State Library on the day on which the work is by him assigned to the State contract printer. All daily legislative journals, bills, resolutions, and other legislative documents hereinbefore required to be delivered to the State Library shall be delivered daily to the said State Library by the State contract printer for the printing of each legislative session, all daily journals, bills, and resolutions, in the hands of the sergeants-at-arms of the House and the Senate shall be delivered to the State Library to be disposed of at the discretion of the librarian. No accounts of the State contract printer for the printing of documents hereinbefore required to be delivered to the State Library shall be approved by the State Printing Board or other State official or officials performing the function appertaining to the State Printing Board nor warrants therefor issued by the Comptroller unless the State contract printer shall show a receipt from the State Library for such delivery as hereinbefore required.

Provided: That the State librarian shall at the beginning of each fiscal

year revise the mailing list of libraries entitled to receive State publications under the provisions of this Act and desiring to receive them: and if the number of such publications hereinbefore required to be delivered to the State librarian shall be insufficient to supply such libraries, the said State librarian is hereby authorized to request of the State printer or board or the official or officials performing the functions appertaining to the State Printing Board such a number of copies as will supply such libraries.

Provided further: That the State Printing Board or the official or officials performing the duties appertaining to the State Printing Board shall upon receiving such request of the State librarian cause to be printed such a total number as will enable the State contract printer to deliver to the said State librarian the number requested: and the State contract printer shall deliver to the State librarian the said number of copies instead of the number hereinbefore specified.

Article 5608. Legislative reference section. The said library is authorized and directed to maintain for the use and information of the members of the Legislature, the heads of the several State departments, and such other citizens as may desire to consult the same, a section of the State Library for legislative reference and information. This section shall possess available for use, explanatory check lists and catalogues of the current legislation of this and other States, catalogues of the bills and resolutions presented in either branch of the legislature, check lists of the public documents of the several states, including all reports issued by the various departments, boards and commissions of this State, digests of such public laws of this and other States as may best be made available for legislative use. The Legislature Reference Section shall give the members of the legislature such aid and assistance in the drafting of bills and resolutions as may be asked.

Article 5609b. Penalty for injuring or defacing library property. That whoever wilfully injures or defaces any book, newspaper, magazine, pamphlet, manuscript, or other property belonging to any public library,

reading room, museum, or other educational institution, by writing, marking, tearing, breaking, or otherwise mutilating, shall be punished by a fine not greater than the replacement value of the property injured, and that a copy of this article shall be posted in a conspicuous place in such library, reading room, museum, or other educational institution.

Section 2. That all laws or parts of laws in conflict with this Act, or any part thereof are hereby repealed.

Section 3. That the state of the public service and the educational needs of the State constituting an emergency demanding the suspension of the constitutional rule requiring the reading of a bill on three successive days, the said rule is so suspended, and the provisions of this Act shall take effect from and after its passage, and it is so enacted.

Committee Room,

Austin, Texas, July 22, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 143, copy of which is hereto attached, and find it correctly enrolled, and have this day at 4:45 o'clock p. m. presented the same to the Governor for his approval.

SMITH, Chairman.

By Dean, Westbrook, S. B. No. 143.
Witt, Floyd, Williford,
Buchanan of Scurry,
Suiter, Gibson, Dayton,
Rector, Dorough.

A BILL To Be Entitled

An Act making it unlawful for any person, directly or indirectly, to manufacture, sell, barter, exchange transport, export, receive, deliver, solocit, take orders for, furnish or possess, spirituous, vinous, or malt liquors or medicated bitters, capable of producing intoxication, or any other intoxicant whatever, or any equipment for making any such liquors, except for medicinal mechanical, scientific, or sacramental purposes; declaring it unlawful for any person, directly or indirectly, to manufacture, sell, barter, exchange, transport, ex-

port, receive, deliver, solicit, or take orders for, furnish or possess, any spirituous, vinous or malt liquors, or medicinal bitters, or any potable liquor, mixture or preparation, containing in excess of 1 per cent of alcohol by volume, or any equipment for making such liquors, except for medicinal, mechanical, scientific or sacramental purposes; declaring that the words "intoxicating liquors" or "liquors" shall be held to include and comprehend all liquors just previously mentioned; and declaring what liquors are included in the liquors just mentioned; defining the word "person" to include both natural persons and corporations; specifying those who are exempt from the operation of this Act and regulating the Act as it relates to liquors for medicinal, mechanical, scientific and sacramental purposes; providing for the issuance of permits in relation to liquors by the Comptroller in regulating and defining those who may receive such permits, what may be done thereunder, and prescribing the rights and duties of the Comptroller with reference thereto; prescribing the rules and regulations with reference to the right of physicians to prescribe alcohol for medicinal purposes, how the same may be prescribed; fixing the rules governing the entire matter; fixing the rights and duties of common carriers with reference to liquors in the bill; prescribing all rules and regulations with reference to them and their agents and servants; prescribing various duties of the Comptroller of Public Accounts with reference to the Act, conferring certain authority upon him with reference to its enforcement; prescribing the place where deliveries of intoxicants shall be made where shipped by carriers; prohibiting advertising of intoxicating liquors and conferring certain authority upon officers relative thereto; prescribing certain duties for all persons who have in possession intoxicating liquors; making it unlawful to advertise, sell, deliver or possess any preparation in which liquors, as a beverage, may be made, or any formula, directions, or receipts for making such liquors;

providing, in certain instances, for regulating the transportation of intoxicating liquors as defined in the Act; prohibiting and regulating orders for intoxicating liquors; authorizing cause of action on behalf of certain persons who may be injured in their person or property or means of support by acts in violation of this Act; declaring that no property rights shall exist in liquors manufactured or sold or kept for sale in violation of law; making it unlawful for any person to purchase or receive liquors in violation of this Act; making it unlawful to rent another or to keep or to be in any way interested in any premises, building, room, boat or place to be used in violation of this Act; declaring all such places common nuisances; authorizing action by the Attorney General and county and district attorneys for the abatement of such nuisance; prescribing the law and rules with reference thereto; authorizing search warrant to issue for the purpose of searching for and seizing and destroying intoxicating liquors under certain circumstances and prescribing the rules relative thereto; creating and defining offenses and prescribing the punishment for violation of this Act by both natural persons and corporations, and conferring certain authority upon the Attorney General and county and district attorneys with reference to fixing the fees of the district and county attorneys for convictions under this Act and for fees where penalty suits are brought hereunder, authorizing the Attorney General to enjoin the violators of this Act in the name of the State in any district court in Travis county; prescribing venue and jurisdiction thereof and making such remedy cumulative; prescribing the penalties for violating any such injunction; declaring that persons shall not be excused from testifying against those who violate any provisions of the Act; and declaring that convictions may be had on uncorroborated testimony of an accomplice; declaring that in all suits where action, civil or criminal, pending under any law in force when this Act takes effect, may be prosecuted to final judg-

ment in like manner and with the same effect as though this Act was not passed, declaring that if any provision of this Act be held invalid, all other provisions shall continue in full force and effect, and declaring an emergency.

Be it enacted by the Legislature the State of Texas:

Section 1. That it shall be unlawful for any person, directly or indirectly, to manufacture, sell, barter, exchange, transport, export, receive, deliver, solicit, take orders for, furnish or possess, spirituous, vinous or malt liquors or medicated bitters, capable of producing intoxication, or any other intoxicant whatever, or any equipment for making any such liquors, except for medicinal, mechanical, scientific or sacramental purposes.

Sec. 2. That it shall be unlawful for any person, directly or indirectly, to manufacture, sell, barter, exchange, transport, export, receive, deliver, solicit or take orders for, furnish or possess, any spirituous, vinous or malt liquors, or medicated bitters, or any potable liquor, mixture or preparation, containing in excess of 1 per cent of alcohol by volume, or any equipment for making such liquors, except for medicinal, mechanical, scientific or sacramental purposes.

Sec. 3. The words "intoxicating liquors," or "liquors" hereafter used in this Act shall be held to include and comprehend all liquors referred to in the first and second sections of this Act and the said liquors prohibited by the said first and second sections of this Act will hereafter be referred to herein for convenience as "intoxicating liquors."

Sec. 4. The various liquors described in Sections 1 and 2 of this Act shall be construed to include all distilled, malt, spiritous, vinous, fermented or alcoholic liquors and all alcoholic liquids and compounds, whether medicated, proprietary, patented or not, and by whatever name called, which require a Federal tax as a beverage, or which contain more alcohol than is necessary to extract the medicinal properties of the drug contained in such preparation and to hold the medicinal agents in solution and preserve the same.

Sec. 5. The word "person" as used in this Act shall be held to in-

clude both natural persons and corporations, but where the offense is committed by a corporation, then the corporation shall be punished as prescribed in Section 36 of this Act.

Sec. 6. The provisions of this Act shall not prohibit the possession of intoxicating liquor for beverage purposes for use by the owner and members of his family, or bona fide guests, in a bona fide residence, if such liquors were purchased and deposited in such residence before this Act goes into effect. Nothing in this Act shall prohibit the manufacture, transportation, storage, and sale of denatured or pure ethyl alcohol, or denatured rum for use only in the industrial or mechanical arts or for scientific purposes or in chemical laboratories or hospitals, or to prevent the manufacture, transportation, sale and keeping and storing for sale of any medical preparations manufactured in accordance with formulas prescribed by the United States Pharmacopeia or National Formulary or American Institute of Homeopathy, or of alcoholic, patent or proprietary medicines which do not require the payment of the Federal tax as a beverage and which contain no more alcohol than is necessary to extract the medicinal properties of the drug contained in such preparation and to hold the medicinal agents in solution, and to preserve the same and which are manufactured and sold for legitimate and lawful purposes and not as beverages, or to prevent the manufacture and sale of bona fide alcoholic toilet, or antiseptic preparations and solutions or flavoring extracts which do not require the payment of Federal tax as a beverage and which contain no more alcohol than is necessary for the extraction, solution and preservation of the agents contained therein, and which are manufactured and sold for legitimate and lawful purposes and not as beverages, and upon the outside of the bottle or package of each is printed in English conspicuously and legibly and clearly the quantity by volume of alcohol in such preparation.

The manufacturer of flavoring extracts or toilet, medicinal, antiseptic preparation or solutions, patent or proprietary medicines, or preparations permitted to be manufactured by this Act shall be permitted to purchase, possess, transport and store

alcohol necessary for the manufacture of said article, but not to be sold or given away, provided that such manufacturer shall secure a permit from the Comptroller, and provided that said manufacturer shall make a monthly report to be filed with the Comptroller on or before the 10th day of each month, showing the name and quantity of every such preparation, solution or medicine so manufactured, and the percentage of alcohol contained in each such preparation, solution or medicine. Provided further that said manufacturer shall, upon request of the Attorney General of the State, the Comptroller of the State, or the district or county attorney of the county in which such manufacturer has his place of business, furnish to the officer making such request any information called for by such officer with reference to the manufacture, storage or sale of any such alcoholic preparation, solution or medicine, and any information with reference to the quantities and dates of sale and transportation of any such preparation, solution or medicine to any person or persons designated in such request. And provided further that any of the officers hereinabove named shall have the right at any reasonable time within business hours to examine the books and records and all data in the possession of such manufacturer with reference to the manufacture, storage or sale of such alcoholic preparations.

Nothing herein shall prevent the storage in United States bonded warehouses in the custody of a United States collector of internal revenue of all liquors manufactured prior to the taking effect of this Act or to prevent the transportation of such liquors for purposes not inhibited by this Act.

Sec. 7. That alcohol for non-beverage purposes and wine for sacramental purposes may be manufactured and sold as follows:

The Comptroller of Public Accounts may issue permits to persons, to manufacture and sell equipment for the manufacture of liquor not prohibited herein; to manufacture alcohol and wine; to manufacture alcoholic, patent or proprietary medicine, flavoring extracts and culinary preparations and other non-beverage alcoholic preparations; to wholesale

and retail druggists or pharmacists and to persons permitted to possess alcohol and wine for authorized purposes. Such permits shall not be in conflict with the prohibitions contained herein.

Sec. 8. That a permit shall not be issued by the Comptroller to any person who has, within two years next preceding the issuing of the same, been adjudged guilty of violating any of the provisions of this Act, or of any permit, or of any law of this State, or of the United States, prohibiting or regulating the liquor traffic; nor shall a permit be issued for the purpose of selling such liquor at retail, unless such sale be made by a pharmacist designated in the permit and duly licensed by the State Board of Pharmacy, nor until a bond shall be given and approved, and the applicant has filed written application therefor setting forth the qualifications and the purposes for which the permit will be used, together with such other information as the Comptroller may require. The bond herein required of a retailer shall be made payable to the Governor of this State at Austin, in Travis county, Texas, shall be in the sum of One Thousand dollars conditioned for the faithful observance of this Act; the bond shall be upon such form as may be drawn and prescribed by the Attorney General and for any breach of the same suit may be brought in the District Court of Travis County to recover the entire amount of same as a penalty for such violation of the law and breach of the bond. Said bond, if signed by personal sureties, must be signed by two solvent sureties, or, if by a surety company, then by a surety company authorized to transact business in the State of Texas. The bond shall be subject to the approval of the Comptroller and shall be filed in his office. The Attorney General shall bring all actions for breach of said bond in the name of the State.

Sec. 9. That such permit when issued shall contain date of issue, shall be in writing, signed by the Comptroller of Public Accounts, shall name and give the address of the person to whom issued, give location where such liquors, equipment or material is to be manufactured, kept, stored or sold, and fix the maximum quantity of such liquor

permitted to be kept or stored and specifically designate and limit the acts permitted, give the name and address of all individuals authorized to do the permitted acts; provided the name and address of the agents, employees and servants of common carriers may be omitted by the Comptroller of Public Accounts from such permit, and such permit shall expire on the 31st day of December next succeeding the date of issue thereof.

Nothing in this Act shall be construed as requiring that any priest, rabbi or minister of any religious denomination or sect to have a permit in order to purchase or receive shipments of wine for sacramental purposes; and nothing in this Act shall make it unlawful for any priest, rabbi or minister or any religious denomination or sect to purchase, order or receive, wine for sacramental purposes or for any common carrier to ship, transport, carry or deliver same to any priest, rabbi or minister of any religious denomination or sect for sacramental purposes only; provided, however, that where such shipment or purchase is made a record thereof shall be made and kept and the priest, rabbi or minister making such purchase or shipment shall be identified. Such quantities of wine may be purchased and kept on hand for sacramental purposes as may be necessary for the particular church or religious institution for the use and service of which same is purchased or shipped.

Section 10. That all persons manufacturing alcohol or wine, or either, shall securely and permanently attach to any container of such liquor as the same is manufactured, and thereafter, persons possessing such liquor in wholesale quantities shall securely keep and maintain thereon, a manufacturer's label, stating name of manufacturer, kind and quantity of liquor contained therein, with a copy of the permit authorizing the manufacture thereof; provided further that every person having in his possession any intoxicating liquor purchased after this Act becomes effective, for permitted purposes, shall have pasted on or permanently attached to the container a copy of the prescription or affidavit as the same may be, upon which authority it was purchased as is provided for in this Act.

Section 11. That all persons authorized to manufacture alcohol shall

keep a separate record of such liquors manufactured or sold, giving date and quantity of such liquor manufactured and sold, the quantity of such liquor on hand, name and address of persons to whom such liquor was sold, the name and address of all agents in any way connected with such manufacture, sale, or purchase, or the keeping, storing, delivering, consigning and distribution of such liquor, the name and address of all common or other carriers receiving, transporting, and delivering said liquor, and a copy of the application on which the purchase or sale of such liquor was made, and a detailed account of the dispositions of such liquor. A copy of such record shall be sent to the Comptroller of Public Accounts every third month after the Act goes into effect by the 10th of the month for the quarter preceding.

Section 12. That it shall be unlawful for a wholesale druggist to sell alcohol or wine, except in wholesale quantities, to persons having permits to purchase in such quantities. Such wholesale druggists shall keep an accurate record of all sales and label the containers of such liquor, setting forth the kind of liquor contained therein, by whom manufactured, and the person to whom sold. A copy of such record shall be sent to the Comptroller of Public Accounts every third month after this Act goes into effect by the 10th of the month for the quarter preceding. It shall be unlawful for a retail druggist or pharmacist to sell any liquor except alcohol for non-beverage purposes or wine for sacramental purposes. Such druggist or pharmacist shall keep a record giving the name of the doctor issuing the prescriptions containing alcohol, the amount, date of sales, the name and signature of the purchaser, the person making the sale, and a copy of the prescription.

Section 13. That every physician who issues a prescription for ethyl alcohol, or any alcoholic liquor shall first secure a permit from the Comptroller of Public Accounts, except as herein provided, and shall keep a record alphabetically arranged in a separate book provided by the Comptroller of Public Accounts, which shall show: date, amount, to whom issued, directions for use (Stating the amount and frequency of dose), and the druggist to whom addressed. Such

physician shall send a copy of such record to the Comptroller of Public Accounts not later than the fifth day of the month for the quarter preceding.

Section 14. That a physician who issues prescriptions must be in active practice, in good standing with his profession, not addicted to the use of any narcotic drug, and have a permit as provided herein for issuing prescriptions. Such physician before issuing any prescriptions must make a careful personal, physical examination of the person to whom the alcohol is prescribed, and in no case issue such prescription to any person whom he has reason to believe will use alcohol for beverage purposes, nor prescribe more than a pint of alcohol to any person at a time. Nor shall such prescription be filled at any pharmacy or drug store in which the physician has any financial interest. For any shift or device by which intoxicating liquors may be improperly prescribed, or for any violation of this section, in addition to the penalty prescribed, for the first offense under this Act, the Comptroller of Public Accounts may suspend the permit of such physician to issue prescriptions for alcohol for a period of one year, and for the second offense, in addition to the punishment prescribed herein, the permit of such physician shall be deemed revoked forthwith. The revocation of such permit, if revoked by the court, shall be sent to the authority granting the permit and shall act as a ban to the granting of any further permit to such physician to issue prescriptions.

Section 15. That it shall be the duty of every railroad company, express company, or other common carrier that transports any liquor to secure first a permit from the Comptroller of Public Accounts and to keep correctly at the place of receipt for shipment, in typewriting or in a clear legible hand that the same may be easily read, a permanent alphabetically arranged record of the receipt of such liquors and the name and post office address, street address, or other description of domicile of the consignor and consignee, and the place of delivery. Nothing herein shall be construed to authorize the transportation of liquor for other than permitted purposes.

Section 16. That common carriers may deliver liquor to persons

who have permits to manufacture or possess the same in wholesale quantities, upon the presentation of a verified copy of the permits from the Comptroller of Public Accounts, and affidavit to the carrier that such liquor will not be used in violation of the law; and that the common carrier may also receive for shipment, and ship and deliver, liquor to persons for the uses permitted herein when affidavit is presented to the carrier that such liquor will not be used in violation of the law. The copy of the record hereinafter mentioned shall be sent by the transportation company to the Comptroller of Public Accounts of the State where the delivery was made, not later than the 10th day of the month for the quarter next preceding.

Section 17. That the record to be kept by the transportation company at the place of delivery shall show: Name of consignor, consignee, kind of liquor and quantity; the number of permit from the Comptroller of Public Accounts; and the signature of the consignee.

The affidavit of the consignee to be attached to the above record shall be as follows:

State of.....)
County of.....)ss

.....being duly sworn, deposes and says, that my address is(or other definite description, giving street number or hotel); I am not a minor nor of intemperate habits. I am an owner of a package in the office of a common carrier, to-wit:

..... It contains (giving amount and kind of liquor)which I have ordered in writing the.....day of..... upon the authority of permit No... ..; that the purpose for which I ordered such liquor is.....; that I have not received from any carrier or any person, nor have I had in my control at any place or places, more than.....(amount) of alcohol or wine within the last three days preceding this date, and I do not have any liquor on hand except; that I will not use any of such liquor nor allow anyone else to use such liquor for beverage purposes or for purposes other than herein stated.

.....
Sworn to and subscribed in my

presence this.....day of
....., 19.....

The agent of the common carrier is hereby authorized to administer the oath to the foregoing consignee, who, if not personally known to the agent, shall first be identified before the delivery of the liquor to him. The names and addresses of the person identifying the consignee shall be included in the record. The affidavit shall be made in the form prescribed, in a permanent record, and if such permanent record has not been furnished the carrier by the Comptroller of Public Accounts, after application for the same, then the affidavit of the consignee shall be pasted or permanently attached at the bottom of a record mentioned herein and a copy attached permanently to the container of such liquor. If such container is inclosed in a package with other material, then such copy shall be attached to it or pasted on it when it is taken from such package and before the liquor is delivered.

Section 19. That the Comptroller of Public Accounts shall have printed forms of record, affidavits, and prescriptions, as provided herein, and shall furnish the same at cost to only such persons as are authorized by the terms of this Act to sell, transport, purchase, manufacture or use alcohol. The affidavits or prescriptions to be filled with the druggist shall be printed in book form, numbering such affidavit with a consecutive serial number from one to one hundred, and each book shall be given a number, and a stub in each book shall carry the same number as the affidavit or prescriptions, showing the copy of the record of such sale. The book containing such stub shall be returned to the Comptroller of Public Accounts when the affidavits or prescriptions are used, or not later than six months from the date that such book or affidavits and prescriptions were delivered to such druggist or physician. All unused, mutilated, or defaced blanks shall be returned with the book. No druggist or physician shall make such sale or issue such prescriptions, except on blanks herein provided. The form of such record shall be prescribed by the Comptroller of Public Accounts.

The Comptroller shall charge a fee of five dollars for each and every

character of permit issued by him under this Act.

Sec. 20. That if at any time there shall be filed with the Comptroller of Public Accounts a complaint under oath setting forth that any pharmacist who has a permit to sell alcohol for medicinal, mechanical, or scientific purposes, or wine for sacramental purposes, is not in good faith conforming to the provisions of this Act, or is guilty of violating this Act, the Comptroller of Public Accounts or his agent shall immediately issue an order citing such pharmacist to appear at a place in the State where he resides before the Comptroller of Public Accounts, on a day named not more than thirty days, nor fewer than fifteen days, from the issuing of such order, at which time the question of the cancellation of such permit shall be heard. If it be found that such pharmacist is guilty of violating any of the provisions of this Act, such permit shall be revoked and no permit shall be granted to such person, firm, or corporation for two years thereafter.

Sec. 21. That in case of a sale where a shipment or delivery of such intoxicating liquor is made by a common or other carrier the sale or delivery thereof shall be deemed to be made in the county wherein the delivery is made by such carrier, to the consignee, his agent, or employees. A prosecution for such sale or delivery may likewise be had in the county wherein the sale is made or from which the shipment is made, or in any county through which the shipment is made.

Sec. 22. That it shall be unlawful to advertise anywhere, on land or water, by any means or method, intoxicating liquors, or to advertise the manufacture, method of manufacture, sale, keeping for sale or furnishing of the same, or where, how, from whom and at what price the same may be obtained, provided that the manufacturer of alcohol or wine and wholesale druggists having a permit under this act shall be allowed to send price lists to those to whom they are permitted to sell alcohol or wine under this act; it shall also be unlawful to permit any sign or billboard containing such prohibited advertisement to remain upon ones' premises or to circulate any prohibited price list, order blank

or other matter designed to induce or secure orders for such intoxicating liquors. The officers charged with the enforcement of this Act are authorized to remove, paint over or otherwise obliterate any such advertisement from any sign, billboard or other place when it comes to his notice, and shall do so upon the demand of any citizen who has first requested the person in charge of such advertisement, or the owner of the property on which it is located and such person fail to remove such advertisement as required by law. Any advertisement or notice containing the picture of a brewery, distillery, bottle, keg, barrel, or box or other receptacle represented as containing intoxicating liquors, or designed to serve as an advertisement thereof, shall be within the inhibition of this section. It shall be unlawful for any newspaper or periodical to print in its columns statement concerning the manufacture or distribution of alcoholic liquors directly or indirectly for which the said newspaper or periodical receives compensation of any kind, without printing at the beginning and at the close of said statement in type of the same size used in the body of the said article the following statement: "Printed as paid advertising".

Sec. 23. That within thirty days after the date when this Act has become operative, every person except licensed pharmacists, wholesale druggists, manufacturing chemists, or hospitals or other places provided for herein to legally possess liquor shall remove, or cause to be removed, all intoxicating liquors in his possession for prohibited purposes, and failure to do so shall be evidence that such liquor is kept therein for the purpose of being sold, bartered, exchanged, given away, furnished or otherwise disposed of in violation of the provisions of this Act; and provided further, that any licensed pharmacist, wholesale druggist, manufacturing chemist, or person in charge of hospital or other place having liquor or alcohol shall report to the Comptroller of Public Accounts within the thirty-days' period the kinds and amounts of intoxicating liquors, or the manufacture thereof, shall be permanently removed and obliterated. Such signs shall be re-

moved within five days after this Act becomes operative.

All screens, stained glass, or other obstructions which prevent a clear view of the interior of any room or place where intoxicating liquors were sold as a beverage, within one year before this Act became operative shall be removed or changed so as to give a permanent unobstructed view of the interior of said room or place, if beverages of any kind are sold therein.

Sec. 24. That it shall be unlawful to advertise, sell, deliver, or possess any preparation, compound, or table from which intoxicating liquor as a beverage is made, or any formula, directions, or recipes for making intoxicating liquor for beverage purposes.

Sec. 25. That it shall be unlawful for any person to use or induce any railroad company, express company, or any other carrier, or any servant or employee thereof, or any person or persons, to carry, transport, or ship any package or receptacle containing liquors without notifying the carrier, its servant or agent, or any person who carries the same, of the true nature and character of the shipment. But failure to notify such carrier shall not be a defense or illegal transportation.

Sec. 26. That it shall be unlawful for any person to solicit, or receive from any person for the purpose of forwarding for the person from whom received, any orders for intoxicating liquors from any person or to give any information how such prohibited liquors may be received or where such liquors are, or to send for such liquors, except for the purposes permitted by this Act.

Sec. 27. That every wife, husband, child, parent, guardian, or other person who shall be injured in person or property or means of support or otherwise by any intoxicated person by reason of the unlawful selling, giving, or furnishing or transporting to any person of the liquors mentioned shall have a right of action in his or her name against any person or persons or corporation who shall, unlawful selling, transporting or giving any such orders, have caused or contributed to any such injury; and in any action provided for in this Section the plaintiff shall have the right to recover

actual and exemplary damages. In case of the death of either party, the action or right of action given by this section shall survive to and against his or her executors or administrator, and the amount so recovered by either wife or child shall be his or her sole and separate property. Such damages together with the costs of suit, shall be recoverable in an action before any court of competent jurisdiction; and in any case where parents shall be entitled to such damages, either the father or mother may sue alone therefor, but recovery by one of such parties shall be a bar to suit brought by the other.

Sec. 28. That it shall be unlawful to give to any carrier, or any officer, agent or person acting or assuming to act for such carrier, an order requiring the delivery to any person of any liquor or package containing liquor consigned to or purporting to or claimed to be consigned to a person when the purpose of the order is to enable any person not an actual bona fide consignee to obtain such liquors.

Sec. 29. That it shall be unlawful for any person to transport liquor or to receive or possess any liquors from a common or other carrier unless there appears on the outside of the package containing such liquors the following information:

Name and address of the consignor or seller, name and address of the consignee or persons receiving the liquor; kind and quantity of liquor contained therein and number of permit. Any consignee accepting or receiving any package containing any such liquors upon which appears a false statement, or any person consigning, shipping, transporting, or delivering any such package, knowing that such statement appearing on the outside is false, shall be deemed guilty of violating the provisions of this Act.

Sec. 30. That no property rights of any kind shall exist in any intoxicating liquors manufactured or sold or kept for sale for beverage purposes in violation of law, and in all such cases the same may be searched for, seized, and ordered to be destroyed.

Sec. 31. It shall be unlawful for any person within this State to purchase for himself or for another, or to receive from any carrier intoxicat-

ing liquors sold, bartered or given to him or delivered to him in violation of this Act, and such person shall be punished accordingly as provided in the penal section of this Act.

Sec. 32. It shall be unlawful for any person to rent to another or to keep or to be in any way interested in keeping any premises, building, room, boat or place to be used for the purpose of storing, manufacturing, selling, transporting, receiving or delivering, or bartering or giving away intoxicating liquors in violation of this Act and any one who knowingly does so shall be guilty of violating this Act and shall be punished accordingly as provided in the penal Section hereof.

Sec. 33. Any room, house, building, boat, structure or place of any kind similar or dissimilar to those named, where intoxicating liquor is kept, possessed, sold, manufactured, bartered or given away, or to be transported to or transported from in violation of law, and all intoxicating liquors and all property kept in and used in maintaining such place are hereby declared to be a common nuisance and any person who maintains or assists in maintaining such common nuisance shall be guilty of violating this Act and shall be punished accordingly.

Sec. 34. The Attorney General or county or district attorney of the county where such nuisance, as defined in Section 33 of this Act, exists or is kept or maintained, may maintain an action in the name of the State of Texas to abate and perpetually enjoin such nuisance and upon judgment of the court ordering such nuisance shall be abated, all intoxicating liquor, containers, utensils and instrumentalities used in the maintenance of such nuisance shall be ordered by the court to be destroyed, same shall be destroyed by any officer authorized to execute civil process; the court shall also order that the place where said nuisance is kept or maintained be closed for one year or until the owner, lessee, tenant or occupant thereof shall file bond with sufficient sureties to be approved by the court making the order in the penal sum of \$1,000.00, payable to the State of Texas, at Austin, Texas, and conditioned that intoxicating liquor will not thereafter be manufactured,

sold, bartered, stored, transported to or from, or given away in violation of law. In case of the violation of any condition of such bond, the whole sum may be recovered as a penalty in the name and for the State of Texas in the District Courts of Travis county, all suits to be brought by the Attorney General. In all cases where any person has been convicted of a violation of the provisions of this Act for acts done in keeping or maintaining the nuisance defined in Section 33 hereof, and such conviction has been final, then a certified copy of such judgment of conviction shall be considered as prima facie evidence of the existence of such nuisance in any action to abate the same.

Section 35. A search warrant may be issued under Title 6 of the Code of Criminal Procedure of this State for the purpose of searching for and seizing and destroying any intoxicating liquor possessed, sold or to be sold or transported, or to be transported, or manufactured in violation of this Act, and for the purpose of searching for and seizing and destroying any containers, instrumentalities for manufacture or of transportation used or to be used in the unlawful possession, sale, manufacture or transportation of intoxicating liquors. No warrant shall be issued to search a private dwelling occupied as such, unless some part of it is used as a store, shop, hotel or boarding house, or for some purpose other than a private residence, or unless the affidavits of two credible persons show that such residence is a place where intoxicating liquor is sold or manufactured in violation of the terms of this Act.

The application for the issuance of and the execution of any search warrant, and all proceedings relative thereto, shall conform as near as may be to the provisions of Title 6 of the Code of Criminal procedure of this State, except where otherwise provided in this Act.

In the event any such liquor or utensils, containers or instrumentalities herein referred to are found, the officer executing the warrant shall seize same. The liquor and articles so seized shall not be taken from the custody of officer by writ of replevin or other process, but shall be held by the officer to await the final judgment in the proceedings.

Section 36. Any person violating any of the provisions of this Act

shall be deemed guilty of a felony and upon conviction thereof shall be punished by confinement in the penitentiary for any period of time not less than one (1) year or more than five (5) years.

Any corporation violating any of the provisions of this Act shall be subject to a penalty in favor of the State of Texas, which shall be recoverable in an action in the name of the State to be brought by the Attorney General in any district court of Travis County or such action may be brought in the district court of any county where the offense is committed, by the Attorney General or by the county or district attorney of such county with the consent and approval of the Attorney General. In any such action for penalties, the State shall recover the sum of Five Hundred (\$500.00) Dollars for any violation of the law, provided that each separate violation of the law shall be considered a separate offense within the terms of this section, or where the offense is of a continuing character, then each day shall be considered a separate infraction of the law, for which the penalty may be recovered. The officers, agents or servants of any corporation against which any such penalty suit may be brought shall not be excused from testifying on the ground that their testimony incriminate them, but where they are called upon by the State to testify and do testify they shall not be prosecuted for their participation in those acts about which they have testified.

Section 37. It is further provided that where penalty suits are brought in Sections 36 of this Act, with the consent and approval of the Attorney General, that the district or county attorney bringing the same shall receive as compensation for his services twenty-five (25) per cent of the amount of penalties recovered and collected, which amount may be held by the district or county attorney recovering the same when he collects and pays over the balance of the judgment to the State.

Section 38. In addition to all other remedies now provided by law and provided in this Act, the Attorney General is hereby authorized to enjoin the violation of any section or sections of this Act, and suit therefor may be maintained in the name of the State of Texas in any District Court in Travis County,

Texas, and for such purpose venues and jurisdiction is hereby conferred upon the district courts of Travis County, Texas; and the district or county attorney of any county, wherein any of the provisions of this Act are violated, is authorized to institute and maintain, in the district court of any county, a suit in the name of the State to enjoin and prevent the violation of any section or sections of this Act. This remedy by an injunction given in this section shall be cumulative of and in addition to the other provisions of this Act providing penalties or creating and defining crimes and punishments, and may be maintained with or without prosecutions or penalty suits herein otherwise provided for.

Section 39. Any person violating the terms of any injunction issued under the provisions of Section 38 of this Act shall be punished for contempt by fine of not less than One Hundred (\$100.00) Dollars nor more than Five Hundred (\$500.00) Dollars, and by imprisonment in the county jail for not less than thirty (30) days, nor more than six (6) months.

Section 40. That no person shall be excused from testifying against persons who have violated any provisions of this Act for the reason that such testimony will tend to incriminate him, but no person required to so testify shall be punished for acts disclosed by such testimony.

Section 41. That all suits or actions, civil or criminal, pending under the law in force the day this Act takes effect, may be prosecuted to final judgment as such judgment entered in like manner with the same effect as though this Act was not passed and all rights and action, civil or criminal accrued under any existing law are hereby preserved and saved and excepted from the operation and effect of this Act, and the same may be prosecuted by suit for recovery or conviction in like manner and to the same extent as might be done if this Act was not passed.

Section 42. That if any provisions of this Act shall be held to be invalid, it is hereby provided that all other provisions of this Act, which are not held to be invalid, shall continue in full force and effect.

Section 43. The importance of this measure and the fact that the session

of the Legislature must soon end, create an emergency and an imperative public necessity which require that the Constitutional Rule providing that bills shall be read on three several days be suspended and said rule is hereby suspended and that this Act take effect and be in force from and after its passage and it is so enacted.

Committee Room,
Austin, Texas, July 22, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 56 copy of which is hereto attached, and find it correctly enrolled, and have this day at 4:45 o'clock p. m., presented same to the Governor for his approval.

SMITH, Chairman.

By Buchanan of Scurry, S. B. No. 56.
Hopkins and Dean.

AN ACT To be entitled

To lease islands, salt water lakes, bays, inlets, reefs and marshes owned by the State within tide water limits, and that portion of the Gulf of Mexico within the jurisdiction of the State of Texas, and the unsurveyed public free school lands, for the production of oil and natural gas; authorizing the Commissioner of the General Land Office to adopt necessary rules and regulations in relation thereto; prescribing the terms upon which leases may be issued; providing for the advertisement of the areas before they are leased; prescribing the requirements for applications; providing for the recognition or abandonment of former surveys; prescribing how and when royalty shall be paid; appropriating the proceeds to the public free school fund and the general revenue fund; creating a first lien in favor of the State; providing for offset wells; providing against pollution of water and authorizing the Game, Fish and Oyster Commissioner to enforce rules against such pollution; providing that leases may be transferred or relinquished to the State; providing for forfeiture of leases if the owner should fail or refuse to comply with the law and

rules and regulations adopted relative thereto; providing for opening of roads as ways of ingress and egress to and from leased areas; providing for the protection of valid rights heretofore acquired and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. All islands, salt water lakes, bays, inlets, marshes and reefs owned by the State within tide water limits, and that portion of the Gulf of Mexico within the jurisdiction of Texas, and the unsurveyed public free school lands shall be included herein and shall be subject to lease by the Commissioner of the General Land Office to any person, firm, or corporation for the production of oil and natural gas that may be therein or thereunder in accordance with the provisions of this Act, and such rules and regulations as may be adopted by said Commissioner as being necessary to the proper execution of its purposes.

Sec. 2. The areas included herein shall be leased for one-eighth of the gross production of oil, or the value of same, that may be produced and saved and one-eighth of the gross production of gas, or the value of same, that may be produced and sold off of the area, and ten cents per acre in advance the first year and thereafter in advance an additional sum of twenty-five cents per acre for the second year, and fifty cents per acre for the third year and one dollar per acre for each and every year thereafter, not to exceed ten years, that the owner of the lease shall desire to hold the rights granted therein, and until production is secured in commercial quantities, and in addition thereto such sum of money, if any, that one may pay therefor; provided, whenever production shall have been secured in commercial quantities, and the payment of royalty begins and continues to be paid, as provided herein, the owner shall be exempt from further annual payments on the acreage. If production should cease and royalty not be paid, the owner of the lease shall, at the end of the lease year in which royalty ceased to be paid, and annually thereafter in advance pay one dollar per acre so long as such owner may desire to maintain the rights acquired under

the lease not to exceed ten years from the date of said lease.

Sec. 3. The Commissioner of the General Land Office shall fix the day and hour when an area or areas will be subject to lease and he shall advertise or readvertise such area or areas at least thirty days before such lease date, except as elsewhere provided in the event of tie bids. If there should be no other sufficient means for giving the necessary publicity as to what areas will be subject to lease and the time when applications may be filed the Commissioner shall have lists of such areas printed for free distribution at the expense of the State which expense shall be paid out of the appropriation for public printing. Such lists shall contain a brief designation of the areas subject to lease and the terms upon which they may be leased and the time when applications therefor may be filed in the General Land Office.

Sec. 4. Applications for separate areas and the first payment of ten cents per acre and the sum offered in addition thereto, if any, for any area shall be delivered into the General Land Office on or before the day and hour on which the area will be subject to lease in sealed envelopes on which shall be endorsed in substance "Application to Lease Minerals," and in addition thereto the date the area will be subject to lease. All envelopes so endorsed shall be securely kept by the Commissioner or his chief clerk unopened until the date on which applications are to be opened and at said hour either or both of them shall begin to open the envelopes in the presence of such persons as may desire to be present. All applications received up to the opening hour whether open or sealed, endorsed or not endorsed, shall be considered as properly delivered into the General Land Office. An application which includes two or more areas or is for a price less than the fixed royalty and price per acre shall be void. When an application shall have been filed and considered and the area found to be subject to lease, the lease shall be issued for a term not to exceed twenty-five years to the applicant that pays the most, if any sum, for the area in addition to the fixed price per acre and the stipulated royalty. If production should not be secured in ten years

the lease shall terminate and the area again be subject to lease as in the first instance. A duplicate of the lease shall be kept on file in the General Land Office. If two or more persons should offer the same price for the same area and the same should be the highest price offered, all shall be rejected and a date fixed within the discretion of the Commissioner, but not later than the fifteenth day of the following month, when the area will be subject to lease as in the first instance; provided, if the time so fixed should be a date prior to the said fifteenth day of the next month an application at a price less than the former sum offered shall not be considered. All sums paid upon rejected applications shall be returned by the State Treasurer.

Sec. 5. For the purpose of executing the provisions of this Act to the best interest of the State the Commissioner of the General Land Office may recognize or decline to recognize any survey or surveys heretofore made of any area included herein. Such survey as may be so recognized shall be advertised and shall be subject to lease as a whole. Such surveys as may not be so recognized shall be deemed, together with all adjacent unsurveyed areas, as one unsurveyed area, and the said Commissioner shall advertise the whole or designated portions thereof for lease and such whole area or designated portions thereof as may be so advertised shall be subject to lease as a whole according to the advertisement; provided, field notes for such unsurveyed area may, in the discretion of the Commissioner, be required before a lease is issued therefor.

Sec. 6. Royalty equal to one-eighth of the value of the gross production, as herein, provided, shall be paid to the State on or before the twentieth day of each month for the preceding month during the life of the lease, and it shall be accompanied by the sworn statement of the owner, manager, or other authorized agent, showing the gross amount of oil produced and saved since the last report, and the amount of gas produced and sold off the area, and the market value of the oil and gas together with a copy of all daily guages of tanks, gas meter readings, if any, pipe line receipts, gas line receipts and other

checks or memoranda of amount produced and put into pipe lines, tanks, or pools, and gas lines or gas storage. The books and accounts, the receipts and discharges of all lines, tanks, pools and meters, and all contracts and other records pertaining to the production, transportation, sale and marketing of the oil and gas shall at all times be subject to inspection and examination by the Commissioner of the General Land Office, the Attorney General, the Governor, or the representative of either.

Sec. 7. Royalty and all other sums shall be due and payable to the State at Austin, Texas, and shall be paid to the Commissioner of the General Land Office and he shall transmit all remittances in the form received to the State Treasurer who shall credit the permanent free school fund with all amounts received from the unsurveyed school lands and with two-thirds of the amount so received from other areas and shall credit the general revenue fund with the remaining one-third from said other areas. All payments shall be in the form of cash, bank draft on some State or National Bank in Texas, or Postoffice or express money order, or such other form as may be prescribed by law, for making remittances to the State Treasury.

Sec. 8. The State shall have a first lien upon all oil and gas produced upon any leased area to secure the payment of all unpaid royalty and other sum or sums of money that may be due and become due under the provisions of this Act.

Sec. 9. If oil or gas should be produced in commercial quantities in a well on an area privately owned which well should be within one thousand feet of an area leased under this Act, the owner of the lease on such State area shall, within sixty days after the initial production on such privately owned area, begin in good faith and prosecute diligently the drilling of an offset well or wells on the area so leased from the State and such offset well or wells shall be drilled to such depth and use such means as may be necessary to prevent the undue drainage of oil or gas from beneath such State area. A log of each well, whether producer or non-producer, shall be filed in the General Land Office within thirty days after

the well has been completed or abandoned.

Sec. 10. The development of wells and the development and operation upon the areas included herein shall be done so far as practicable in such manner as to prevent such pollution of the water as will destroy fish, oysters and other sea food and it shall be the duty of the Game, Fish and Oyster Commissioner to enforce such rules and regulations as may be prescribed for that purpose by the Commissioner of the General Land Office.

Sec. 11. One may transfer his lease at any time and such transfer shall be recorded in the county or counties in which the area or part thereof is situated and within ninety days after the date of its execution the recorded transfer or certified copy of same shall be filed in the General Land Office accompanied by one dollar as filing fee, and thereby the assignee shall succeed to all the rights and be subject to all the obligations and penalties of the original lessee. An owner may relinquish his lease to the State at any time by having the relinquishment recorded in the county or counties in which the area or part thereof is situated and within ninety days after the date of its execution the recorded relinquishment or certified copy of same shall be filed in the General Land Office accompanied by one dollar as filing fee, and thereby the owner of such lease shall be relieved of any further obligations to the State, but such relinquishment shall not have the effect to release the owner from any obligations or liabilities theretofore accrued in favor of the State.

Sec. 12. If the owner of a lease should fail or refuse to make the payment of any sum due either on the area or royalty on the production within thirty days after same shall become due, or if such owner or his authorized agent should knowingly make any false return or false report concerning production, royalty, or drilling, or if such owner should fail or refuse to drill any offset well or wells in good faith as required by this Act and the rules and regulations adopted by the Commissioner of the General Land Office, or if such owner or his agent should refuse the proper authority access to the records pertaining to the operations under this Act, or if such owner

or his authorized agent should knowingly fail or refuse to give correct information to the proper authority, or fail or refuse to furnish the log of any well as provided herein, such lease shall be subject to forfeiture by the Commissioner of the General Land Office and when sufficiently informed of the facts which authorize a forfeiture, the Commissioner of the General Land Office shall forfeit same, and the area shall be subject to lease again to another than to such forfeiting owner after due advertisement; provided, such forfeiture may be set aside and the lease and all rights thereunder reinstated before the rights of another intervene upon satisfactory evidence of future compliance with the provisions of this Act and the rules and regulations authorized to be adopted for the purpose of executing its provisions.

Sec. 13. Whenever it may be necessary for the owner of a lease acquired under this Act to enter the enclosed land of another for the purpose of ingress and egress to and from the area so leased from the State and such lessee and the owner of enclosure or agent of such owner cannot agree upon the place of such entry, nor the conditions of such entry, the lessee or his agent may petition the commissioners court of the county or counties in which such enclosure may be situated in whole or in part for the opening of such way of ingress and egress aforesaid as may be necessary. Upon the filing of such petition it shall be the duty of said court or courts to proceed to lay out and establish in the manner provided for the laying out of third class public roads, such road or roads as may be necessary for the purposes named herein.

Sec. 14. Nothing in this Act shall be construed to affect or impair valid rights that may have been acquired by virtue of any valid application heretofore filed nor any valid permit or lease heretofore issued upon any area included in this Act, but such rights, obligations, and penalties attaching thereto shall remain in full force and effect so far as it may relate to the areas included herein.

Sec. 15. So much of Chapter 83, of an Act approved March 16, 1917, as relates to the leasing of the areas included in this Act is hereby re-

pealed so far as it includes and provides for the leasing of said areas.

Sec. 16. The importance of the legislation proposed and the short term of this Special Session creates an emergency and an imperative public necessity exists that the constitutional rule requiring bills to be read on three separate days in each House should be suspended and that this bill be placed upon third reading and final passage and that it take effect from and after its passage.

Committee Room,
Austin, Texas, July 22, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Enrolled Bills have carefully examined and compared Senate Concurrent Resolution No. 17, copy of which is hereto attached, and find it correctly enrolled, and have this day at 9:15 o'clock p. m., presented the same to the Governor for his approval.

SMITH, Chairman.

By Dorough. S. C. R. No. 17.

Whereas, road building is one of the most important factors on the development of our State; and

Whereas, the present price of cement is so high that the building of permanent roads will be retarded unless the price can be reduced,

Therefore, Be It Resolved, by the Senate of the State of Texas, the House concurring, that the Prison Commission is hereby requested and directed to prepared and file with the Secretary of the Senate and the House at its next Called or Regular Session, a detailed report covering the feasibility of a State owned and operated cement plant, the cost of the necessary lands, machinery, etc., and advising the Legislature whether or not such a plant is practicable and advisable.

Committee Room,
Austin, Texas, July 22, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 114, copy of which is hereto attached, and find it correctly enrolled, and have this day at 9:15 o'clock p. m., presented the same to the Governor for his approval.

SMITH, Chairman.

By Gibson.

S. B. No. 114.

A BILL
To Be Entitled

An Act to amend Sections 1 to 9 inclusive, Chapter 68 of the General Laws of the Thirty-second Legislature, passed at the Regular Session thereof, being an Act to provide for the protection of the fish and oysters within tide water limits along the Gulf coast of this State from the most interior point of tide water seaward co-extensive with the jurisdiction of the State and the fish in such fresh water lakes inland as may be owned by the State; and to provide for the sale and protection of all marl and sand of commercial value and all shells or mudshell that may be in or upon the bottom of any lake, bay and shallow water, and in or upon all islands, reefs and bars that may be within the limits herein defined; and placing of said islands, lakes and bays, and the shells or mudshells, sand, and marl that may be in or upon the said bottoms or in or upon the said islands, bays, lakes, reefs, and bars under the jurisdiction and control of the Game, Fish and Oyster Commissioner for the purpose of selling and protecting the said shells, mudshells, marl, and sand; and providing that the proceeds arising from the sale of said shells, or mudshell, marl and sand, shall be credited to the General Fund of the State, and declaring an emergency. And also to amend Chapter 7, of the General Laws of the Thirty-second Legislature, passed at the First Called Session thereof; being "An Act to provide for the protection of the fish and oysters within tide water limits along the Gulf coast of this State from the most interior point of tide water seaward, co-extensive with the jurisdiction of the State, and the fish in such fresh water lakes inland as may be owned by the State, and to provide for the sale and protection of all marl and sand of commercial value and all shells or mudshell that may be in or upon the bottoms of any lake, bay or shallow water, and in or upon all islands, reefs, and bars that may be within the limits herein defined; and the placing of such islands, lakes and

bays, and the shells or mudshell, sand and marl that may be in or upon the said bottoms or in or upon the said islands, lakes, bays, reefs and bars, under the jurisdiction of the Game, Fish and Oyster Commissioner, for the purpose of selling and protecting the said shells, or mudshell, marl and sand; and providing that the proceeds arising from the sale of said shells or mudshell, marl and sand, shall be credited to the General Fund of the State, and may be expended in the execution of this Act, and in establishing fish hatcheries on the coast or elsewhere and in locating oyster beds and reserving fresh water lakes for sale, and providing penalties for the violation of this Act, and appropriating to certain funds the proceeds from sale and fines arising under this Act, and declaring an emergency"; providing for the minimum price which may be charged for shell, mudshell, marl and sand, and declaring an emergency. By adding thereto the management, control, sale and protection by the Game, Fish and Oyster Commissioner of all gravel, marl, sand, shell or mudshell that may be in or upon any island, lake, river creek, or bayou, within the interior of this State as may not be embraced in any survey of private land; and providing for a refund to any county, sub-division of a county, or city or town of all moneys which may be paid by them for the taking of marl, sand, gravel, shells or mudshell from the public waters of the State, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Sections 1 to 9, inclusive of Chapter 68 of the Acts of the Regular Session, and Chapter 7, of the First Called Session of the Thirty-second Legislature be amended so as to hereafter read as follows:

Section 1. All the islands, reefs, bar, lakes, and bays within tidewater limits from the most interior point seaward co-extensive with the jurisdiction of this State and such of the fresh water islands, lakes, rivers, creeks and bayous within the interior of this State as may not be embraced in any survey of private land, together with all

marl and sand of commercial value, and all the shells, mudshell or gravel, or whatsoever kind that may be in or upon any island, reef or bar, or in and upon the bottoms of any lake, bay, shallow water, rivers, creeks and bayous and fish hatcheries and oyster beds, within the jurisdiction and territory herein defined, are included within the provisions of this Act, and all such islands, reefs, bars, lakes, bays shallow waters, rivers creeks and bayous, and the marl, sand shells, mudshells, gravel and oyster beds and fish hatcheries, located as herein defined, are, for the purpose of this Act, hereby placed under the management, control and protection of the Game, Fish and Oyster Commissioner.

Section 2. Such of the fresh water lakes, rivers, creeks and bayous within this State as may not be embraced in any survey of private land shall not be sold, but shall remain open to the public, provided should the Game, Fish and Oyster Commissioner stock them with fish, he is authorized to protect same for such time and under such rules as may be prescribed by him.

Section 3. The Game, Fish and Oyster Commissioner is hereby invested by all the power and authority necessary to carry into effect the provisions of the Act, and shall have full charge and discretion over all matters pertaining to the sale, the taking, carrying away or distributing of all marl, sand or gravel of commercial value, and all gravel and shells or mudshell and oyster beds and their protection from free use and unlawful disturbing or appropriation of same, with such exceptions and under such restrictions and limitations as may be provided herein.

Sec. 4. None of the marl, gravel, shells, mud shell or sand included in the preceding sections of this Act shall be purchased, taken, carried away or distributed except as provided in this Act, nor shall any oyster beds, or fish hatcheries, within the territory included in this Act be disturbed except as herein provided.

Sec. 5. Anyone desiring to purchase any of the marl and sand of commercial value and any of the gravel, shells or mudshell included within the provision of this Act, or otherwise operate in any of the waters or upon any island, reef, bar, lake, by bay, river, creek or bayou,

included in this Act shall first make written application therefor to the Game, Fish and Oyster Commissioner designating the limits of the territory in which such person desires to operate. If the Game, Fish and Oyster Commissioner is satisfied the taking, carrying away or disturbing of the marl, gravel, shells, or mudshell, sand, in the designated territory would not damage or injuriously affect any oysters, oyster beds, fish inhabiting waters thereof adjacent thereto and that such operation would not damage or injuriously affect any island, reef, bar, channel, river, creek or bayou used for frequent or occasional navigation nor change or otherwise injuriously affect any current that would affect navigation, he may issue a permit to such person after such applicant shall have complied with all regulations and requirements prescribed by said Commissioner. The permit shall authorize the applicant to take, carry away, or otherwise operate within the limits of such territory as may be designated therein, and for such substance or purpose only as may be named in the permit and upon the terms and conditions therein. No permit shall be assignable, and a failure to, or refusal of the holder to comply with the terms and conditions of the permit shall operate as an immediate termination and revocation of all rights conferred therein or claimed thereunder. No special privilege or exclusive right shall be granted to any person, association of persons, coporate or otherwise, to take or carry away any marl, gravel, sand, shell or mudshell from any territory or to otherwise operate in or upon any island, reef bar, lake, river creek bayou or bay included in this Act.

Sec. 6. The Game, Fish and Oyster Commissioner, by and with the approval of the Governor, may sell the marl, gravel, sand, shells, or mudshell, included within this Act, upon such terms and conditions as he may deem proper but for not less than four cents per ton, and payment thereof shall be made to said Commissioner. The proceeds arising from such sale shall be transmitted to the State Treasurer and be credited to the general fund of the State and may be expended by the said Commissioner upon itemized accounts sworn to by those performing the

service or furnishing the material, and approved by said Commissioner. The said account shall be filed with the Comptroller of Public Accounts, and he shall draw a warrant therefor upon the State Treasurer.

Sec. 7. If any county, or any subdivision of a county, city or town should desire any marl, gravel, sand, shell, or mudshell included in this Act for use in the building of any road or street, which work is done by said county, or any subdivision of a county, city or town, such county or subdivision of a county, city or town may be granted a permit without charge and shall have the right to take, carry away or operate in any waters or upon any islands, reefs or bars included in this Act; such county, subdivision of a county, city or town to do the work under its own supervision, but such county, or any subdivision of a county, city or town shall first obtain from the said Commissioner a permit to do so, and the granting of same for the operation in the territory designated by such county, or any subdivision of a county, city or town, shall be subject to the same rules, regulations and limitations and discretion of the said Commissioner as are other applicants and permits. If any county, or any subdivision of a county, city or town should desire any gravel, marl, sand, or shell or mudshell included in this Act for use in the building of any road or street, and the building of any road or street is to be done by contract, or the dredging or taking of gravel, marl, sand or shell, or mudshell for use on said road or street, is to be done by contract, then the said county or any subdivision of a county, city or town may obtain a refund from the Game, Fish and Oyster Commissioner, of the tax levied and collected on said gravel, marl, sand or shell or mudshell as fixed by the Game, Fish and Oyster Commissioner at the time of the taking thereof by warrant drawn by the Comptroller upon the fish and oyster fund upon itemized account sworn to by the proper officer representing said county or by subdivision of a county, city or town and approved by the Game, Fish and Oyster Commissioner and under such other rules and regulations as may be prescribed by the Game, Fish and Oyster Commissioner.

Sec. 8. If any person, association

or persons, corporate or otherwise, shall, for himself or itself, or for or on behalf of or under the direction of another person, association of persons, corporate or otherwise, take or carry away, any marl, sand or shells or mudshell or gravel included in this Act, or shall disturb any of said marl, sand, shells or mudshell or gravel or oyster beds or fishing waters or shall operate in or upon any of said places for any purpose other than that necessary or incident to navigation or dredging under State or Federal authority, without first having obtained a written permit from the Game, Fish and Oyster Commissioner for the territory in which such operation is carried on, such person, association of persons, corporate or otherwise, shall be deemed guilty of a misdemeanor, and upon conviction, shall be fined in a sum of money not less than ten dollars nor more than two hundred dollars; and each day's operation shall constitute a separate offense.

Sec. 9. The fact that large quantities of marl, sand, and gravel, shell or mudshell belonging to the State are being taken and carried away daily without the State receiving remuneration for same, creates an emergency, and an imperative public necessity exists that the constitutional rule requiring bills to be read on three separate days in each house shall be suspended and that this bill be placed upon its third reading and final passage, and take effect from and after its passage, and it is so enacted.

Committee Room,
Austin, Texas, July 22, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 83, copy of which is hereto attached, and find it correctly enrolled, and have this day at 9:15 o'clock p. m. presented the same to the Governor for his approval.

SMITH, Chairman.

By Clark.

S. B. No. 83.

A BILL To Be Entitled

An Act to define and regulate the practice of veterinary medicine, surgery and dentistry; creating a

Board of Veterinary Medical Examiners for the examining and licensing of veterinary physicians and surgeons, dentists, and prescribing their powers, duties and qualifications; providing for the proper registration of veterinary physicians, surgeons and dentists, and providing for the revocation of their licenses and fixing suitable penalties for the violations of this Act; repealing Chapter 76 of the Acts of the Regular Session of the Thirty-second Legislature and all laws and parts of laws in conflict herewith, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That no person shall practice veterinary medicine or veterinary surgery in any of their branches, including veterinary dentistry within this State, unless and until such persons shall have complied with the provisions of this Act.

Sec. 2. That there shall be a board known as the "State Board of Veterinary Medical Examiners," said board to consist of seven qualified veterinarians who shall have resided and practiced veterinary medicine and surgery under a diploma from a legal reputable College of veterinary medicine for more than five years prior to their appointment. Said board shall be appointed by the Governor within ninety days after his inauguration from a list of eligible practitioners of veterinary medicine furnished the Governor by the Secretary of the State Veterinary Medical Association, and term of office of its members shall be two years, or until their successors shall be appointed and qualified. No member of the said board shall be a stockholder or a member of the faculty of a member of a board of trustees of any veterinary college. Vacancies occurring in the board shall be filled by the Governor for the unexpired term.

Sec. 3. The members of said board shall qualify by taking the oath of office before any officer empowered to administer oaths in the county in which each shall respectively live. At the first meeting of said board after each bi-annual appointment, the board shall elect a president, vice president and secretary-treasurer four members shall constitute a quorum. Regular meet-

ings shall be held at least twice each year at such time and places as shall be deemed most convenient for applicants for examination. Due notice of such meetings shall be given by publication in such papers as may be selected by the board. The board may prescribe rules, regulations and by-laws in harmony with the provisions of this Chapter, for its own government and proceedings for the examination of applicants for the practice of veterinary medicine and veterinary surgery. Said board or any member thereof shall have power to administer oaths for all purposes required in the discharge of its duties, and to adopt a seal to be affixed to all official documents. Special meetings of said board may be held upon a call of four members of said board.

Sec. 4. The board of examiners shall preserve a record of its proceedings in a book kept for that purpose, showing the name, age and place and duration of residence of each applicant, the time spent in study in medical schools, and the year and school from which degrees were granted, or in case where the applicant qualifies as having been engaged in the practice of veterinary medicine in Texas, prior to 1911, same shall show the age, name and place and duration of residence and the number of years engaged in the practice of veterinary medicine in Texas. Said record shall also show whether applicants were rejected on examination or licensed and shall be prima facie evidence of all matters contained therein. The secretary of the board shall transmit an official copy of said register to the Secretary of State for permanent record, certified copy of which with hand and seal of the Secretary of said board or of the Secretary of State shall be admitted in evidence in all courts.

Sec. 5. It shall be unlawful for any one to practice veterinary medicine in any of its branches upon animals within the limits of this State, who has not registered in the district clerk's office of the county in which he resided, his authority for so practicing, as herein prescribed, together with his age, postoffice address, place of birth and name of school of veterinary medicine from which he graduated. Provided that nothing in this Act shall prohibit any

person, who has heretofore registered as a veterinary surgeon in the county of his residence according to the provisions of Chapter 76 of the Acts of the Regular Session of the Thirty-second Legislature who had previous to the year 1911 practiced veterinary medicine or veterinary surgery as his principal occupation for five years in the State of Texas prior to the year 1911, from practicing in the county of his residence only by securing a license from the State Board of Veterinary Medical Examiners by filing satisfactory evidence of his former compliance with the requirements of said Act, Chapter 76, Acts of the Regular Session of the Thirty-second Legislature, together with an affidavit that he has practiced veterinary medicine or veterinary surgery continuously for five years prior to 1911, in which affidavit he shall state the place where he has practiced veterinary medicine or veterinary surgery for five consecutive years immediately prior to 1911, together with his place of residence during said period. Upon the face of such license shall be printed the words, non graduate. Provided further that after the passage of this Act, it shall be unlawful for any person to register under the five year practicing clause of this section, but the object of this provision is to permit persons who have heretofore lawfully registered to continue practicing under the five year clause. That in case if the oaths herein provided for are wilfully false, it shall subject the person making same to conviction and punishment for false swearing. The fact of such oath shall be endorsed upon the certificate or license as the case may be, but if such person shall remove from such county of residence, he shall comply with all the requirements of this Acts before he shall be allowed to practice.

Sec. 6. It is hereby made the duty of the district clerk of each county in this State to keep a book of suitable size to be known as the "Veterinary Medical Register" of such county and record therein the name and record of each veterinary practitioner who presents a certificate from the State board of veterinary examiners. The clerk shall receive the sum of one dollar from each per-

son so registered, which shall be his full compensation for all duties required under this Act. When any person registered in said book shall die, remove from the county or have his license revoked, it shall be the duty of said clerk to make note of the facts thereof at the bottom of the page containing the record of such person as closing the record. On the first of January of each year said clerk shall on request of the board, certify to the office of said board of veterinary medical examiners a correct list of the veterinarians then registered in the county, together with such other information as said board may require. A copy from said register pertaining to any person, certified by said clerk under the seal of said court, also a certificate issued by paid officer certifying that any person named therein has or has not registered in said office as required by this Act shall be admitted as evidence in all trial courts.

Sec. 7. The board of veterinary medical examiners may at its discretion arrange for reciprocity in license with the authorities of other States and territories having requirements equal to those established by this law. License may be granted applicants for license under such reciprocity upon payment of twenty dollars.

Sec. 8. All applicants to practice veterinary medicine in this State, not otherwise licensed under the provisions of this Act, must successfully pass an examination before the board of veterinary medical examiners. Applicants to be eligible for examination must present satisfactory evidence to the board that they are more than twenty-one years of age, of good moral character, and graduates of bona fide reputable veterinary medical schools, and a bona fide veterinary medical school shall be one whose requirements for a degree and whose equipment is such as is at present required for recognition by the Bureau of Animal Industry of the United States Department of Agriculture, or the American Veterinary Medical Association. Application for examination must be made in writing under affidavits to the secretary of the board, accompanied by the sum of fifteen (15) dollars. Such applicants shall be given due notice of the date and place of examination. In case any applicant be-

cause of failure to pass examination be refused a license, such person may be permitted to take a second examination without additional fee.

Sec. 9. The fund realized from the aforesaid fees shall be applied first to the payment of the necessary expenses of the board; any remaining funds shall be applied by order of the board to compensating members of the board at ten dollars per day provided that it shall be unlawful for the board or any member thereof in any manner or for any purpose to charge or obligate the State for the payment of any money and the members of said board shall look alone to the revenue derived from the operation of this Act for his compensation and for the expenses of conducting said board.

Sec. 10. All examinations shall be conducted in writing in such manner as shall be entirely fair and impartial. The applicants to be known by numbers without names or other methods of identification on examination papers by which members of the board may be able to identify such papers until after the applicants have been granted licenses or rejected. Examinations shall be conducted on the scientific branches of veterinary medicine only, and shall include veterinary anatomy, veterinary pathology, chemistry, veterinary obstetrics, veterinary materia medica, veterinary sanitary science, veterinary practice, and veterinary jurisprudence, and veterinary physiology and bacteriology. Upon satisfactory examination under the rules of the board, applicants shall be granted license to practice veterinary medicine. All questions and answers with grades attached shall be preserved for one year and any person rejected shall be entitled to examine his said answers and the grades attached shall be preserved for one year and any person rejected shall be entitled to examine his said answers and the grades attached thereto. All applicants examined at the same time shall be given identical questions in each of the above branches. All certificates shall be attested by the seal of the board and signed by a majority of said board.

Sec. 11. Nothing in this law shall be so construed as to apply to commission or contract veterinarians in the employ of the United States or

the Bureau of Animal Industry of the United States Department of Agriculture in the performance of their duties as such, but such shall not engage in private practice, nor to legally qualified veterinarians of other States called in consultation but who do not open offices. Nothing in this law shall be construed as to prohibit the sale by licensed druggists of remedies which they recommend for the cure of diseases of animals.

Sec. 12. The right to practice veterinary medicine in this State may be revoked by any court of competent jurisdiction upon proof of the violation of the law in any regard thereto or for any cause for which the State Board of Veterinary Medical Examiners is authorized by law to refuse to admit at its examinations as hereinafter provided; and it shall be the duty of the several districts and county attorneys of this State to file and prosecute appropriate proceedings in the name of the State for violations thereof on request of any member of the said board.

Sec. 13. The State Board of Veterinary Medical Examiners may refuse to admit to its examinations or to issue the certificate provided for by this Act for any of the following causes:

The presentation to the board of any license certificate or diploma which was illegally or fraudulently obtained, or when fraud or deception has been practiced in passing the examination.

Conviction of crime of the grade of a felony, or one which involves moral turpitude.

Other grossly unprofessional or dishonorable conduct of a character likely to deceive or defraud the public; or for habits of intemperance or drugs addition calculated to endanger the lives of patients; provided that any applicant who may be refused admittance to examination before said board shall have his right of action to have such issue tried in the district court in the county in which some member of the board shall reside.

Section 14. Any person shall be deemed as practicing veterinary medicine or veterinary surgery or dentistry who professes publicly to be a veterinary physician, surgeon or dentist, or who appends to his

name any initials or title implying qualifications to practice veterinary medicine or who shall treat, operate or prescribe for any physical ailment or deformity of any domestic animal for which he shall receive compensation, either direct or indirect, or any county demonstration or farm demonstration agent while in the employment of any county, State or Federal government on a salary for treating or attempting to treat any animal for any disease, ailment or deformity. Nothing in this Act shall apply to persons not so employed gratuitously treating animals. It is further provided that the operations known as "Dehorning", "Castrating", or spraying shall not be construed as the practice of veterinary medicine or surgery nor the vaccination of cattle for blackleg as the practice of veterinary medicine.

Section 15. Every person desiring to practice veterinary medicine or veterinary surgery within this State, whether under a license issued by a board upon examination, or by qualifying before the board of examiners as having practiced for more than five years prior to the year 1911 as provided for herein, as well as those who have been previously examined by the board of veterinary medical examiners under the Act of 1911, and who desire to continue in the practice of the profession of veterinary medicine shall within sixty days after the passage of this Act file with the Secretary of the board an application for renewal thereof, which application shall be accompanied by the fee hereinafter prescribed. If the board shall find that the applicant has been legally licensed or registered in this State, they shall issue to him a certificate attesting the fact. On or before the 1st day of March each year, each practicing veterinary physician in the State shall file with the secretary of the board of veterinary examiners his application for renewal of his license to practice. Said application shall be made on forms to be furnished by the board on which shall appear the name, age, and residence of the applicant, and whether practicing under license issued by the board after examination or whether under the provisions of Chapter 76, Acts of 1911, as to practice of veterinary medicine for five years prior to 1911. All such applications shall be

accompanied by a fee or one dollar. In case any person practicing veterinary medicine or veterinary surgery shall fail for a period of sixty days after the expiration of his license to make application to the board for its renewal, his name shall be erased from the register of licensed veterinarians, and before such person may again practice veterinary medicine he shall be required to take the examination before the board, unless, however, such person has been prevented from applying for renewal for good cause, of which the board shall be the judge of the sufficiency thereof. All license issued under the provisions of this Act shall expire on the 1st day of March of each year, and may be renewed by complying with the provisions of this Act.

Section 16. The terms veterinarians, veterinary medicine, veterinary surgeon, veterinary physician and veterinary dentist as used in this Act shall be construed as synonymous.

Section 17. That it shall be a misdemeanor punishable upon conviction by a fine of not less than \$25.00 nor more than \$200.00 and disqualified from office on the board, for the board or any member thereof to issue any certificate provided for herein, or to give any applicant prior to examination a list of questions to be propounded at any examination.

Section 18. That the grand jury of each county in this State is hereby given inquisitorial power over all offenses of violations of this Act, and the judge of the district courts of the State shall give the name of their charges to the grand jury; and it shall be the duty of the board of veterinary examiners, or any member thereof, to report any violations of this Act to the proper authorities.

Sec. 19. It is further provided that the members of the State Board of Veterinary Medical Examiners, appointed and acting under authority of Chapter 76, of the Acts of the regular session of the Thirty-second Legislature, shall constitute in office, without re-appointment, after the passage of this Act, with full power and authority to exercise all the powers and duties of said office prescribed in this Act, until the appointment and qualification of members of

said Board under authority of this Act.

Sec. 20. Nothing in this Act shall be construed as requiring veterinarians or veterinary surgeons who have successfully passed examination on the subjects prescribed in Article 7324e, revised Civil Statutes of 1914 and who have granted certificate of premanent license by said Board of Veterinary Medical Examiners, to again submit themselves to examination. But such certificate of permanent license is valid to all intents and purposes, subject to all the provisions of this Act.

Sec. 21. Any person receiving a certificate of license from the Board of Veterinary Medical Examiners shall forthwith have it recorded in the office of the District Clerk of the county in which he makes his residence, and shall display it in his regular place of business. The date of recording shall be recorded thereon, and until the license is recorded the holder shall not exercise any of its rights and privileges therein conferred; and in case said license is not recorded within ninety days from its date of issuance, it shall become invalid. The District Clerk shall be paid his fee for recording such certificate by holder thereof.

Section 22. Any veterinarian or veterinary surgeon who has successfully passed examination on the subjects prescribed in Article 7324e of the Revised Civil Statutes of 1914, or in Section 10 of this Act, and who have been granted license by said Board to practice veterinary medicine, veterinary surgery or veterinary dentistry in this State, and who has recorded his license as provided for in this Act, may go from one county to another county in this State on professional business and may practice veterinary medicine, veterinary surgery or veterinary dentistry in any county in this State to which he may go, without recording or registering said license in any county to which he may go or in which he may practice. Provided that any veterinarian or veterinary surgeon who has successfully passed the said examinations and recorded his license as provided for in this Act, and who removes his residence from the county in which his license is recorded, shall again record his license in the county to which he removes his residence, in the same manner as the same was recorded

in the county from which he removed his residence. Such veterinarian or veterinary surgeon shall have no authority to practice in any county to which he removes his residence until he has recorded said license as herein provided.

Sec. 23. Any person who practices or attempts to practice veterinary medicine, surgery or dentistry in this State, without first having complied with the provisions of this Act, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not less than twenty-five dollars nor more than two hundred dollars; and each day of such practice or attempt to practice shall constitute a separate offense.

Sec. 24. All laws and parts of laws heretofore passed by the Legislature governing the practice of veterinary medicine, veterinary surgery or veterinary dentistry are hereby expressly repealed, and especially Chapter 76, Acts of the regular session of the Thirty-second Legislature.

Sec. 25. In case any article or part hereof is held unconstitutional, the same shall not affect the other sections or parts hereof.

Sec. 26. In view of the fact that correspondence schools are advertising and selling diplomas to the citizens of this State and thereby defrauding the public, by representing that the holders of such diplomas are permitted to take examinations before the State Board of Veterinary Medical Examiners, and the facts that the existing laws regulating the practice of veterinary medicine, surgery and dentistry and creating a board of veterinary medical examiners and prescribing its powers, duties and qualifications, are insufficient, creates an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and the same is hereby suspended, and that this Act shall take effect and be enforced from and after its passage, and it is so enacted.

Committee Room,
Austin, Texas, July 22, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 85 copy of which is hereto attached, and find

it correctly enrolled, and have this day at 9:15 o'clock p. m., presented the same to the Governor for his approval.

SMITH, Chairman.

By Buchanan of Scurry. S. B. No. 85.

A BILL To Be Entitled

An Act to amend Chapter 150 of the Laws of the Thirtieth Legislature of the State of Texas, 1907, by adding Section 91b, providing, that under emergency conditions, transfers of the State school apportionment of a child of school age may be made from any county of the State to any other county of the State with the approval of the State Superintendent and of the State Board of Education, and that children so transferred shall share in the apportionment of the county funds of the county to which they are transferred; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

That the above entitled Act of the Thirtieth Legislature of the State of Texas, be amended so as to add Section 91b thereto.

Section 91b. In the case of conditions resulting from public calamity in any section of the State such as serious floods, prolonged drouth, or extraordinary border disturbances, resulting after the scholastic census has been taken, in such sudden changes of the scholastic population of any county as would work hardship in the support of the public free schools of the said county, the State apportionment of any child of school age may, on the approval of the State Board of Education, be ordered by the State Superintendent of Public Instruction to be transferred to any other county or independent school district in any other county of the State; provided that the facts warranting such transfer shall be sent to the State Superintendent by the county or district board of trustees of schools to which transfer is to be made with a formal request for the said transfer before the first of August of the year in which such unusual conditions occur. The State Superintendent shall in such case notify the County Superintendent of the county to which the funds are to be transferred and the

County Superintendent of the county from which the funds are to be transferred that final apportionment of school funds cannot be made under these circumstances before August 15th. All arrangements for said emergency transfers must be completed by the fifteenth of August following the usual conditions causing the emergency. Children whose State funds are thus transferred to any county shall be included in the number of children for whom the county school apportionment of the said county is made. Any county judge serving as ex-officio county superintendent, county superintendent, district, city or town superintendent or other school officer who refuses to comply with the provisions of this Act shall be deemed guilty of a misdemeanor and shall on conviction, be fined in any sum not less than \$50.00 nor more than \$500.00, or shall be confined in the county jail for not more than sixty days, or shall be punished by both such fine and imprisonment.

Section 2. The crowded calendar of the Special Session, and the serious conditions resultant upon the prolonged drouth of West Texas creates an emergency and an imperative public necessity, which requires that the constitutional rule providing that bills be read on three several days be suspended, and said rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Committee Room,
Austin, Texas, July 22, 1919.

Hon. W. A. Johnson, President of
the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 147, copy of which is hereto attached, and find it correctly enrolled, and have this day at 9:15 o'clock p. m., presented the same to the Governor for his approval.

SMITH, Chairman.

By Bailey, Hall. S. B. No. 147.

A BILL
To be Entitled

An Act to amend Section 1 of Chapter 147 of the Acts of the Regular Session of the Thirty-fourth Legislature relating the duties of tax collectors to prepare and mail notices

and statements of delinquent taxes against lands to the record owners thereof; and preparation and perfecting of the delinquent tax records of various counties and the compensation of the collector therefor; relating the duties of the county and district attorneys in respect to instituting suits for the collection of delinquent taxes and the compensation they shall receive therefor, so as to require and provide that the notices to the record owners of real estate against which taxes are delinquent may be mailed by the tax collector to the addresses of such owners during the months of April and May each year, or as soon thereafter as practicable; and prescribing the contents of such notices; and to amend Section 3 of said chapter so as to provide that the county attorney of each county in the State, or the district attorney in counties having no county attorney, shall file suit for the collection of taxes delinquent against any lands or lots situated in such county together with interest, penalties, and costs then due, as soon as practicable after the expiration of 90 days from the date of the notice mailed to the delinquent owner thereof by the tax collector under the provisions of this Act; amending said Chapter 147 by adding thereto Section 3a, providing the manner, time and method of collecting taxes, penalties, interests and costs due against and in respect to lands and lots appearing on lists furnished by the tax collector to the county or district attorney as lands and lots located in the county which appear on the delinquent tax records in the name of "unknown" or "unknown owners" or in the name of persons whose correct address or place of residence in or out of the county said collector has been unable by due diligence to discover or ascertain, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Section 1 of an Act passed in the Regular Session of the Thirty-fourth Legislature, the same being Chapter 146 of the printed General Laws of the said session, be and the same is hereby amended so as to hereafter read as follows:

Section 1. During the months of April and May of each year, or as soon thereafter as practicable, the collector of taxes in each county of this State shall mail to the address of each record owner of any lands or lots situated in the county a notice showing the amount of taxes delinquent or past due and unpaid against all such lands and lots as shown by the delinquent tax record of the county on file in the office of the tax collector, a duplicate of which shall also have been filed in the office of the Comptroller of Public Accounts of the State of Texas and approved by such officer. Such notice shall also contain a brief description of the lands and lots appearing delinquent and the various sums or amounts due against such lands and lots for each year, they appear to be delinquent according to such records, and it shall also recite that unless the owner or owners of such lots or lands described therein shall pay to the tax collector the amount of taxes, interest, penalties and costs set forth in such notice within 90 days from the date of notice, then, and in that event the county or district attorney will institute suits for the collection of such moneys and for the foreclosure of the constitutional lien existing against such lands and lots. And it shall also be the duty of the tax collector in every county of this State, as soon after mailing such notice as practicable, to furnish to the county or district attorney duplicates of all such notices mailed to the tax payers in accordance with the provisions of this Act, and also, lists of lands and lots located in the county appearing on the delinquent tax records in the name of "unknown" or "unknown owners" or in the name of persons whose correct address or place of residence in or out of the county said collector is unable, by the use of due diligence, to discover or ascertain, against which taxes are delinquent, past due, and unpaid, and such lists or statements shall show the amount of State and county taxes delinquent, past due, and unpaid, against each such tract or lot of land for each year they appear to be delinquent according to the delinquent tax records of the county and shall likewise contain a brief description of all such lands and lots. And it shall be the further duty of the tax collector to furnish on demand of any person or

persons, firm or corporation like statements with reference to any particular lot or tract of land for whatever purpose desired, which shall be in all instances certified by him with the seal of his office attached. Whenever any person or persons, firm or corporation shall pay to the tax collector all of the taxes, interest, penalties and costs shown by the delinquent tax records of the county to be due and unpaid against any tract, lot, or parcel of land for all the years for which said taxes may be shown to be due and unpaid, prior to the institution of suit for the collection thereof, it shall be the duty of the tax collector to issue to such person or persons, firm or corporation, a receipt covering such payment as is now required by law.

Sec. 2. That Section 3 of an Act passed in the Regular Session of the Thirty-fourth Legislature, the same being Chapter 147 of the printed General Laws of said session, being and the same is hereby amended so as to hereafter read as follows:

Section 3. As soon as practicable after the expiration of ninety days from the date of notice mailed to the delinquent owner by the tax collector under the provisions of this Act, the county attorney or district attorney, if there be no county attorney, shall file or institute suit, as otherwise provided by law, for the collection of all delinquent taxes due at the time of filing such suit against any lands or lots situated in county, together with interest, penalties and costs then due, as otherwise provided by law; provided, that the work of filing such suits, the county or district attorney shall receive a fee of four (\$4.00) dollars for each additional tract included in each suit and one (\$1.00) dollars for each additional tract included therein; and provided, where improved town lots are sued upon or included in a suit with other lands or unimproved town lots in the same town only one such additional fee shall be added for each twenty lots or any number less than twenty, and it shall be the duty of said county or district attorney in bringing such suits to include in the same suit all lands and unimproved town lots owned by any one owner; and, provided, further, that in counties containing over fifty thousand inhabitants such fee shall be two (\$2.00) dollars for the first tract and fifty

(50) cents for each additional tract, and that the same provisions with regard to the joining of different tracts owned by the same owner in one suit shall apply to such counties.

The tax collector shall, in addition to the compensation and costs now allowed by law, be entitled for the making up the delinquent record or supplements thereto, where necessary under this Act, the sum of five (5) cents for each and every line of yearly delinquencies entered on said delinquent record or supplement, the same not to exceed twenty-five (25) cents in any one case, such compensation to be paid out of the general fund of the county upon a completion or approval of said record or supplement. The tax collector shall also receive a commission of five cents on the amount of delinquent taxes collected in addition to the commissions now allowed by law, but all such fees or commissions of the said tax collector, district attorney or county attorney under this Act shall be accounted for as fees of office under provisions of the maximum fee bill as provided in Chapter 4, Title 58 of the Revised Civil Statutes of Texas, 1911, as amended by Chapters 121 and 142, Acts of the Regular Session of the Thirty-third Legislature.

Sec. 3. That Chapter 147 of the General Laws of the Regular Session of the Thirty-fourth Legislature be and the same is hereby amended by adding thereto Section 3a which shall be as follows:

Section 3a. In respect to lands and lots appearing on lists furnished by the tax collector to the county or district attorney in accordance with the provisions of this Act, as lands and lots located in the county which appear on the delinquent tax records in the name of "unknown" or "unknown owners," or in the name of the county said tax collector has been unable, by due diligence to discover or ascertain, it shall be the duty of the county attorney or in counties having no county attorney, of the district attorney, immediately after the lists of such lands have been furnished him by the collector, to proceed to collect all taxes, penalty, interest and costs then due against the same in the manner prescribed in Chapter 15 of Title 126 of the Revised Statutes of 1911.

Sec. 4. The fact that the delinquent tax records of the State are

in bad condition in many counties, and that the decisions of the appellate courts of this State construing Chapter 147 of the General Laws of the Regular Session of the Thirty-fourth Legislature and especially the sections thereof here sought to be amended have rendered it impossible to collect by suit a vast amount of taxes which became delinquent prior to January 1, 1918, and the fact that the calendar is crowded, and the time for adjournment is near, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended and the same is hereby suspended and that this Act take effect and be in force from and after its passage and it is so enacted.

Committee Room,
Austin, Texas, July 22, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your committee on Enrolled Bills have carefully examined and compared Senate Joint Resolution No. 3, copy of which is hereto attached, and find it correctly enrolled, and have this day at 9:15 o'clock p. m., presented the same to the Governor for his approval.

SMITH, Chairman.

By Dean, et al. S. J. R. No. 3.

Declaring that the Governor and the Attorney General of this State, in addition to the authority conferred upon them respectively by the Constitution and statutes of the State, are directed to institute suit in the Supreme Court of the United States for the purpose of determining and settling the boundaries between the State of Oklahoma and the State of Texas and the preservation of the rights of the State and its citizens and those claiming property under and by virtue of the Constitution and laws of the State; directing the said officers to institute suit or suits in any other courts, State or Federal, as may be necessary for the preservation of the rights of the State, of its citizens, and those owning property under any by virtue of the laws of the State, and the exercise of the authority, directing that such suit or suits shall be instituted, when in the judgment of the Governor and the Attorney General, it is necessary and

after an investigation as said officers may deem proper, and against all governments, states, tribes, nations and their successors and all individuals, persons, partnerships and corporations, as may be necessary or proper parties; and declaring an emergency.

Be It Resolved by the Legislature of the State of Texas:

Section 1. That, whereas there is a controversy pending between the State of Texas and the State of Oklahoma and possibly between the State of Texas and the United States and certain Indian tribes or nations, or their successors in interest, of and concerning the boundaries between the two States, both as to what these boundaries are and as to the location of same; and

Whereas, this controversy is seriously involving the sovereign rights of the State of Texas, its property rights, the property rights of its citizens and those holding under the State of Texas and the execution of its laws; therefore be it

Resolved, that the Governor and the Attorney General of this State, in addition to the authority conferred upon said officers respectively by the Constitution and statutes of this State, are directed to institute suit in the name of the State of Texas in the Supreme Court of the United States for the purpose of determining and settling the boundaries between the State of Oklahoma and the State of Texas and for the preservation of the rights of the State and of its citizens and those claiming property under and by virtue of the Constitution and laws of the State of Texas; that they are likewise directed to institute suit or suits in any other courts, State or Federal, as may be necessary for the preservation of the rights of the State, of its citizens and those owning property under and by virtue of the laws of the State and the exercise of the authority of the State. That such suit or suits shall be instituted when in the judgment of the Governor and the Attorney General, it is necessary and after such investigation as said officers may deem proper and sufficient, and against all governments, states, tribes, nations and their successors and all individuals, persons, partnership and corpor-

ations as may be necessary or proper parties.

Sec. 2. The fact that this a Special Session of the Legislature, which may soon expire and the importance of this resolution creates an emergency and an imperative public necessity which requires that the constitutional rule requiring bills to be read on three several days be and the same is hereby suspended and that this resolution take effect and be in force from and after its passage and it is so enacted.

Committee Room,
Austin, Texas, July 22, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 131, copy of which is hereto attached, and find it correctly enrolled, and have this day at 9:15 o'clock p. m., presented the same to the Governor for his approval.

SMITH, Chairman.

By Dorough. S. B. No. 131.

A BILL To Be Entitled

An Act to amend Article 1606, Chapter 5, of the Revised Civil Statutes of Texas of 1911, as amended by an Act approved February 24, 1905 by the Twenty-ninth Legislature, Regular Session, relating to the employment and salaries of stenographers of Courts of Civil Appeals, and fixing the salaries of stenographers of Courts of Civil Appeals, and declaring an emergency, and providing that the Act take effect from its passage and repealing all laws in conflict with the provisions of this Act and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 1606, Chapter 5, of the Revised Statutes of Texas of 1911, as amended by Act approved February 24, 1905, be so amended as to hereafter read as follows:

Article 1606. Each Court of Civil Appeals shall be authorized to appoint one stenographer, who shall be a typewriter, who shall discharge such duties as may be required by the court, shall be sworn to keep

secret all matters which may come to his knowledge as such stenographer and typewriter, who shall receive a salary of fifteen hundred dollars per annum, and shall give bond with two or more sureties in the sum of two thousand dollars, to be approved by the presiding judge of said court, payable to the State of Texas, conditioned for the faithful performance of his duties as such stenographer and typewriter.

Sec. 2. All laws or parts of laws in conflict with the provisions of this Act shall be, and are hereby repealed.

Sec. 3. The fact that the salaries of the stenographers of the Courts of Civil Appeals of this State are totally inadequate and insufficient to retain capable stenographers, and the crowded condition of the calendar and near approach of the close of the session creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended and that this Act take effect and be in force from and after its passage and it is so enacted.

Committee Room,
Austin, Texas, July 22, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 36, copy of which is hereto attached, and find it correctly enrolled, and have this day at 9:15 o'clock p. m., presented the same to the Governor for his approval.

SMITH, Chairman.

By Smith. C. S. for S. B. No. 36.

A BILL
To Be Entitled

An Act making it the duty of all owners or operators of oil and gas wells, to keep books showing accurately the amount of oil and gas produced and disposed of, with the price for which the same was sold, together with the receipts from the sale or transfer of leases or other property, and the disbursements made in connection with, or for the benefit of such business, which books shall be kept open for the inspection of the Railroad Commission, or any accredited

representative thereof, or of any stockholder, or shareholder or royalty-owner in said business, and requiring such owner or operator of such oil or gas wells to report such information to the Railroad Commission of Texas for its information only, when required by the Commission to do so; further requiring any person, firm, partnership, joint stock association, corporation, or other organization, domestic or foreign, operating wholly or partially within this State, acting as principal or agent for another, for the purpose of drilling, owning or operating any oil or gas well, or owning or controlling leases of oil and mineral rights or the transportation of oil or gas by pipe lines, to immediately file with the Railroad Commission of Texas at Austin, the name of the company or organization, giving the name and post office address of the organization, the plan under which it is organized and the names and postoffice addresses of the trustee or trustees thereof, and the name and address of the officers and directors thereof; fixing a penalty for the violation of the provisions of this Act; providing that all salaries and expenses necessary to enforce the provisions of Chapter one hundred fifty-five (155) Acts of the Regular Session of Thirty-sixth Legislature, to conserve the oil and gas resources of the State, shall be paid out of the fund created by Section 11, Chapter Thirty (30), Acts of the Regular Session of the Thirty-fifth Legislature; providing that this Act shall be cumulative of all other laws for the conservation of oil and gas; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. It is hereby made the duty of all owners and operators of oil and gas wells to keep books, showing accurately the amount of stock sold and unsold and amount of promotion money paid, amount of oil and gas produced and disposed of, with the price for which the same was sold, together with the receipts from the sale or transfer of leases or other property, and the disbursements made in connection with or

for the benefit of such business, which books shall be kept open for the inspection of the Railroad Commission or any accredited representative thereof, and of any stockholder or shareholder or royalty-owner in said business, and shall report such information to the Railroad Commission of Texas for its information, when required by the Commission to do so. Any person, firm, partnership, joint stock association, corporation or other organization, domestic or foreign, operating wholly or partially within this State, acting as principal or agent for another, for the purpose of drilling, owning or operating any oil or gas well, or owning or controlling leases of oil and mineral rights, or the transportation of oil or gas by pipe line, shall immediately file with the Railroad Commission of Texas, at Austin, the name of the company or organization, giving the name and postoffice address of the organization, the plan under which it was organized, and the names and postoffice addresses of the trustee or trustees thereof, and the names and postoffice addresses of the officers and directors. Any person, firm, joint stock association, corporation or other organization, or the agent thereof, refusing to comply with any of the provisions of this section, shall be subject to all the fines and penalties imposed by Article 7, Chapter 155, Acts of the Regular Session of the Thirty-sixth Legislature, approved March 31st, 1919.

Sec. 2. All salaries and expenses necessary to enforce the provisions of Chapter 155, Acts of the Regular Session of the Thirty-sixth Legislature, to conserve the oil and gas resources of the State, shall be paid out of the fund created by Section 11, Chapter 30, Acts of the Regular Session of the Thirty-fifth Legislature.

Sec. 3. This Act shall be cumulative of all other laws for the conservation of oil and gas and the control of pipe lines.

Sec. 4. Whereas the present law does not require drillers, owners, operators and other persons, drilling or owning oil or gas wells, to furnish the Railroad Commission the information required in Section 1, and does not require organizations drilling, owning, or operating gas or oil wells, to furnish the Commission with complete information concern-

ing said organization, creates an emergency an imperative public necessity, requiring the suspension of the Constitutional rule requiring bills to be read on three several days and said rule is hereby suspended, and this law shall take effect and be in force from and after its passage, and it is so enacted.

Committee Room,
Austin, Texas, July 22, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 57 copy of which is hereto attached and find it correctly enrolled, and have this day at 9:15 o'clock p. m., presented the same to the Governor for his approval.

SMITH, Chairman.

By Westbrook. S. B. No. 57.

A BILL To be entitled.

An Act to make certain emergency appropriations out of the General Revenue for the several institutions and departments of the Government for the fiscal year ending August 31, 1919, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas.

Section 1. That the following sums be and the same are hereby appropriated out of the General Revenue to cover emergency for the purposes herein named, for the several institutions and department of the Government for the fiscal year ending August 31, 1919.

North Texas Hospital for Insane.

For the year ending
August 31, 1919.

Support and maintenance	\$ 35,000.00
For amount necessary to complete the sewer disposal plant now under course of erection at said Hospital,	
the sum of.....	4,000.00

State Orphans Home.

For Fuel balance of	
fiscal year.....	1,000.00
Support and maintenance	7,000.00

General Land Office.	Blind Institute.
For the year ending August 31, 1919.	For the year ending August 31, 1919.
Postage, Stationery, Books and expenses \$ 2,300.00	For replacing concrete floors in Gymnasium B'dg. \$ 1,000.00
Fuel, lights, water, gas and power for entire new land office build- ing. 2,800.00	Department of State.
For vellum and all paper, cloth and other mate- rials necessary and in- cident to the use and operation of the blue p r i n t machine, draughting material and supplies to be available for all de- partments of the State using the blue print machine in new Land Office building. 7,500.00	For freight, postage, ex- press, telegraphing, telephoning, and con- tingent expenses. 750.00
Live Stock Sanitary Commission of Texas.	Hospital for Negro Insane, Rusk.
For the purpose of pay- ing all necessary office expenses of the Live Stock Sanitary Com- mission, including of- fice rent, stamps, sta- tionery, printing, office furniture, fixtures, sup- plies, telegraph and telephone service and other necessary expen- ses for the fiscal year ending August 31, 1919. 300.00	To pay balance on con- tract including 16 bath-tubs, 18 com- modes, 18 laboratories and the salary and ex- penses of the Board of Managers and the Superintendent. 6,138.82 For support and main- tenance. 40,071.90
Public Printing.	Judiciary.
To pay for first, second and third class print- ing and binding and for papers of the first second and third class public printing for the fiscal year ending August 31, 1919. 13,000.00	To pay increase in salary of 86 District Judges, 7 Criminal District Judges, 27 Judges Courts of Civil Ap- peals, 3 Judges of Su- preme Court; 3 Judges Court of Criminal Ap- peals, 6 Judges Com- missioner's Appeals from June 19, 1919 to August 31, 1919 in- clusive. 28,798.00
Publishing Constitutional Amendment in refer- ence to the A. & M.	Executive Office.
College and University	For general repairs.... 225.00
Publishing the Amend- ments to Special Tax by Cities and Towns.. 512.00	State Treasury Department.
To supplement salaries of 52 District Attorneys from June 19th, 1919, to August 31, 1919, as under Act of House Bill 22 of the Regu- lar Session Thirty- sixth Legislature. 28,860.00	Salary of one bookkeeper for two and one-half months. 312.50
	Total. \$188,868.22
	Section 2. There being no ap- propriation available out of which to pay the above claims an emer- gency and imperative public neces- sity exists which justifies the sus- pension of the Constitutional rule requiring bills to be read on three several days in each House, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Committee Room,
Austin, Texas, July 22, 1919.

Hon. W. A. Johnson, President of
the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 80, copy of which is thereto attached, and find it correctly enrolled, and have this day at 9:45 o'clock, a. m. presented the same to the Governor for his approval.

SMITH, Chairman.

By Dayton.

S. B. No. 80.

A BILL
To be Entitled

An Act to amend Chapter 57 of the General Laws of the State of Texas, passed at the Regular Session of the Thirty-fifth Legislature of Texas relating to county libraries; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Chapter 57 of the General Laws of the State of Texas, passed at the Regular Session of the Thirty-fifth Legislature, be amended so as to read hereafter as follows:

Sec. 2. The county commissioners courts of the several counties shall have power and authority to establish, maintain, and operate within their respective counties, county free libraries, in the manner and with the functions prescribed in this Act. The said commissioners court shall also have the power and authority to establish in co-operation with another county or counties a joint free county library for the benefit of the co-operating counties.

Sec. 3. The commissioners court of any county may establish county free libraries for that part of such county lying outside of incorporated cities and towns already maintaining free public libraries, and for such additional parts of such counties as may elect to become a part of or to participate in such county free library system, as hereafter provided in this Act. On their own initiative, or when petitioned to do so by a majority of the voters of that part of the county to be affected by this Act, the commissioners court shall proceed to establish and provide for the maintenance of such library according to the further provisions of this Act.

Sec. 4. The county library shall be

located at the county seat, in the court house, unless more suitable quarters are available. The librarian shall endeavor to give an equal and complete service to all parts of the county through branch libraries and deposit stations in schools and other locations where suitable quarters may be obtained, thus distributing printed matter, books, and other educational matter as quickly as circumstances will permit.

Sec. 5. Upon the establishment of a county free library the commissioners court shall appoint a county librarian who shall hold office for a term of two years subject to removal for cause after a hearing by said court. No person shall be eligible to the office of county librarian unless prior to his appointment he has received from the State Board of Library examiners a certificate of qualification for office.

Sec. 6. A commission is hereby created to be known as the State Board of Library Examiners, consisting of the State Librarian, who shall be ex-officio chairman of the Board; the librarian of the State University, who shall be an ex-officio member; and three other well trained librarians of the State who shall at first be selected by the State Librarian and librarian of the State University. The term of each shall be for six years, one of the appointive members retiring every two years. His successor shall be chosen by the remaining members of the board in executive session. The members of said board shall receive no compensation for their services except actual and necessary traveling expenses paid out of the State library fund. Said board shall arrange for an annual meeting and for such other meetings as may be necessary in the pursuance of its duties. Said board shall pass upon the qualifications of all persons desiring to become county librarians in the State of Texas, and may in writing adopt rules and regulations not inconsistent with the law for its government and for the carrying out of the purposes of this Act.

Sec. 7. The commissioners court shall fix the salaries of the librarian and assistants at the time they fix the salary of the other appointive county officers.

Sec. 8. The librarian of each county library shall, on or before the 1st day of October in each year re-

port to the commissioners court and to the State Librarian the operation of the county library during the year ending August 31st preceding. Such report shall be made on blanks furnished by the State library, and shall contain a statement of the condition of the library, its operation during the year, and such financial and book statistics as are kept in well regulated libraries.

Sec. 9. The county library shall be under the general supervision of the commissioners court. The county librarian shall have the power to make rules and regulations for the county free library, to establish branches and stations throughout the county, to determine the number and kind of employes of such library, and, with the approval of the commissioners court, to appoint and dismiss such employes.

Sec. 10. The county free libraries of the State shall also be under the supervision of the State Librarian, who shall from time to time, either personally or by one of his assistants, visit the county free libraries and inquire into their condition, advising with the librarians and the commissioners court, and rendering such assistance in all matters as the State library may be able to give.

Sec. 11. The county librarian shall prior to entering upon the duties of his office file with the county clerk the usual oath of office and a bond conditioned upon the faithful performance of his duties with sufficient sureties, approved by a judge of the county court of the county of which the librarian is to be the county librarian, in such sum as may be determined by the commissioners court. The county librarian, shall, subject to the general rules adopted by the commissioners court, build up and manage according to accepted rules of library management a library for the people of the county and shall determine what books and other library equipment shall be purchased. The county librarian and assistants shall be allowed actual and necessary traveling expenses incurred in the business of the library.

Sec. 12. After a county free library has been established, the commissioners court shall annually set aside from the general tax fund of the county, a sum sufficient for the maintenance of said library, but not to exceed five cents on the hundred dollars valuation of all property in

such county outside of all incorporated cities and towns already supporting a free public library, and upon all property within all incorporated cities and towns already supporting a free public library, and upon all property within all incorporated cities and towns already supporting a free public library which have elected to become a part of such county free library systems provided in this Act for the purpose of maintaining county free libraries and for purchasing property therefor.

Sec. 13. The commissioners court is authorized and empowered to receive on behalf of the county any gift, bequest, or devise for the county free library, or for any branch or subdivision thereof. The title to all property belonging to the county free library shall be vested in the county, but where gifts or bequests shall be made for the benefit of any branch or branches of the county free library, such gifts or bequests shall be administered as designated by the donor.

Sec. 14. All funds of the county free library shall be in the custody of the county treasurer, or other county official, who may discharge the duties commonly delegated to the county treasurer. They shall constitute a separate fund to be known as the county free library fund, and shall not be used for any other purposes except those of a county free library. Each claim against the county free library shall be authorized and approved by the county librarian, or in his absence from the county, by his assistant. It shall then be acted upon in the same manner as are all other claims against the county.

Sec. 15. Any white person of such county may use the county free library under the rules and regulations prescribed by the county commissioners court and may be entitled to all the privileges thereof; provided, said court shall make proper provision for the negroes of said county to be served through a separate branch or branches of the county free library, which shall be administered by custodians of the negro race under the supervision of the county librarian.

Sec. 16. In any county where a farmers county library has been established as provided in Chapter 122 of the Acts of the Regular Session of the Thirty-third Legislature, the

same shall continue to operate as a farmers county library, unless a county free library shall be established as provided for in this Act, in which case the former shall merge with and become a part of the latter.

Sec. 17. After the establishment of a county free library as provided in this Act, the board of commissioners, city council, or other legislative body of any incorporated city or town in the county, maintaining a free public library, may notify the commissioners court that such city or town desires to become a part of the county free library system, and thereafter such city or town shall be a part thereof, and its inhabitants shall be entitled to the benefits of such county free library, and the property within such town or city shall be included in computing the amount to be set aside as a fund for county free library purposes.

But the board of commissioners, city council, or other legislative body of such incorporated city or town may at any time after two years notify the commissioners' court that such city or town no longer desires to be a part of the county free library system and thereafter such city or town shall cease to participate in the benefits of such county free library system, and the property situated in said city or town shall no longer be assessed in computing the fund to be set aside for county free library purposes; provided, however, that the board of commissioners, city council, or other legislative body of such incorporated city or town give the commissioners' court six months' notice and publish at least once a week for six successive weeks prior to either giving or withdrawing such notice in a county newspaper designated by the board of commissioners, city council, or other legislative body, and circulated throughout such city or town, notice of such contemplated action, giving date and place of meeting at which such contemplated action is proposed to be taken.

Sec. 18. The county commissioners' court, wherein a county free library has been established under the provisions of this Act, shall have full power and authority to enter into contracts with any incorporated city or town maintaining a free public library, and such incorporated city or town shall through its board of

commissioners, city council, or other legislative body, have full power to enter into contracts with such county to secure to the residents of such incorporated city or town the same privileges of the county free library as are enjoyed by the residents of such county outside of such incorporated city or town, or such privileges as may be agreed upon in such contract, upon such consideration to be named in the contract as may be agreed upon, the same to be paid into the county library fund, and thereupon the residents of such incorporated city or town shall have the same privileges with regard to said county free library as are had by the residents of such county outside of such incorporated city or town, or such privileges as may be agreed upon by contract.

Sec. 19. The commissioners' court of any county, wherein a county free library has been established under the provisions of this Act, shall have full power and authority to enter into contracts or agreements with the commissioners' court of any other county to secure to the residents of such other county such privileges of such county free library as may, by such contract, be agreed upon, the same to be paid into the county free library fund, and thereupon the inhabitants of such other county shall have the privileges of such county free library as may by such contract be agreed upon; and the commissioners' court shall have full power and authority to enter into a contract with the commissioners' court of another county wherein a county free library has been established, under the provisions of this Act, and shall have power to provide for and to set aside a county free library fund, in the manner already set out, for the purpose of carrying out such contract. But the making of such contract, shall not bar the commissioners' court of such county from establishing a county free library therein and upon the establishment of such county free library, such contract may be terminated upon such terms as may be agreed upon by the parties thereto, or may continue for the term thereof.

Sec. 20. Instead of establishing a separate county free library, upon petition of a majority of

the voters of the county, the commissioners' court shall have the power and are hereby authorized to contract for library privileges from some already established library. Such contract shall provide that said established library shall assume the functions of a county free library within the county with which the contract is made, including incorporated cities and towns therein. Such contract shall also provide that the librarian of such established library shall hold, or secure a county librarian's certificate from the State Board of Library Examiners. The commissioners' court may contract to pay annually into the library fund of said established library such sum as may be agreed upon. Said sum shall be paid out of the county library fund provided for in Section 12 of this Act. Either party to such contract may terminate the same by giving six months' notice of intention to do so. Property acquired under such contract shall be subject to division at the termination of the contract upon such terms as are specified in such contract.

Sec. 21. Where found to be more practicable two or more adjacent counties may join for the purposes of this Act, and establish and maintain a free library under the terms and provisions above set forth for the establishment and maintenance of a county free library. In such cases the combined counties shall have the same powers and be subject to the same liabilities as a single county as provided in this Act. The Commissioners' courts of the counties which have combined for the establishment and maintenance of a free library shall operate jointly in the same manner as does the commissioners' court of a single county in carrying out the provisions of this Act. Should any county desire to withdraw from such combination, it shall be entitled to a division of property in such proportion as agreed upon in the terms of combination at the time such joint action was taken.

Sec. 22. After a county free library has been established, it may be dis-established in the following manner: Upon petition of a majority of the voters of that part of the county maintaining a county free library, asking that said county free library system be no longer maintained, it

shall become the duty of the commissioners' court upon the termination of existing contracts to call in all books and movable property of the defunct county free library, and to have the same sorted, inventoried, and stored under lock and seal in some dry and suitable place in the county court house.

Sec. 23. In case any section of this Act, and any provision therein is found unconstitutional or invalid for any reason the same shall in no wise affect the remaining sections and provisions of this Act.

Sec. 24. The fact of the importance of this bill to the public, and the present short session of the Legislature, creates an emergency and an imperative public necessity requiring the constitutional rule that all bills shall be read on three several days be suspended, and said rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Committee Room,
Austin, Texas, July 22, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have carefully examined and compared Senate Bill No. 107, copy of which is hereto attached, and find it correctly enrolled, and have this day at 9:15 o'clock p. m., presented same to the Governor for his approval.

SMITH, Chairman.

By Page, Bailey and
Hall.

S. B. No. 107.

A BILL To Be Entitled

An Act creating the office of Game, Fish and Oyster Commissioner; providing for his appointment; prescribing his qualifications; defining his duties; authorizing the appointment of deputies; prescribing their qualifications, defining powers and duties; and for the protection of fish, oysters, turtle, terrapins, shrimp, crabs, clams, mussels, lobsters and all other kinds and forms of marine life in the public fresh water, tidal and coast waters of the State and to protect the natural oyster beds and reefs and to provide for the location of private beds, pre-

scribing the terms, tax and conditions upon which fish, shrimp, crabs, clams, turtle, terrapin, mussels, lobsters and all other forms and kinds of marine life may be taken from the waters of this State; providing that this Act shall be construed to be a continuation of all former laws upon the subject; and providing that all suits now pending involving laws affected by this Act shall not abate but shall be prosecuted under such former laws and under this Act; fixing the penalties for violations of the Act and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Article 1. The office of the Game, Fish and Oyster Commissioner is hereby created and the Governor of the State is authorized to appoint a competent person as Game, Fish and Oyster Commissioner of the State of Texas.

Art. 2. The person appointed to the office of Game, Fish and Oyster Commissioner shall be a citizen of the United States and of the State of Texas.

Art. 3. The Game, Fish and Oyster Commissioner shall have his office in the State Capitol in the City of Austin, Texas, during his term of office which shall be two years.

Art. 4. The Game, Fish and Oyster Commissioner shall file with the Secretary of State, a good and sufficient bond, to be approved by that official, in the sum of ten thousand dollars with two or more good and sufficient securities conditioned that he will faithfully perform the duties of this office. He shall take the oath prescribed for sheriffs and when he shall file said bond and taken said oath, he shall enter on the duties of his office. Said bond shall not be void on the first recovery but may be sued on from time to time in the name of the State or any persons injured until the whole amount has been recovered.

Art. 5. The Game, Fish and Oyster Commissioner shall have a seal on which shall be a five pointed star and the words "Game, Fish and Oyster Commissioner of Texas," and which seal he shall use in issuing commissions to deputies in his department and in other official acts.

Art. 6. The duties of the Game, Fish and Oyster Commissioner shall be in the execution of the Game, Fish and Oyster Laws of the State and such further duties as may be imposed upon him by legislation. In the execution of these laws he shall exercise the power and authority given to the sheriffs of the State.

Art. 7. All of the public rivers, bayous, lagoons, creeks, lakes, bays and inlets in this State, and all that part of the Gulf of Mexico within the jurisdiction of this State, together with their beds and bottoms, and all of the products thereof, shall continue and remain the property of the State of Texas, except insofar as the State shall permit the use of said waters and bottoms, or permit the taking of the products of such bottoms and waters, and insofar as this use shall relate to or affect the taking and conservation of fish, oyster, shrimp, crabs, clams, turtle, terrapin, mussels lobsters and all other kinds and forms of marine life or relate to sand, gravel, marl, mudshell and all other kinds of shell, the Game, Fish and Oyster Commissioner shall have jurisdiction over and control of, in accordance with, and by the authority vested in him by the laws of this State.

Art. 8. All oyster beds shall be public or private; all not designated private shall be public. All natural oyster beds and oyster reefs of this State shall be deemed public, and a natural oyster bed shall be declared to exist when as many as five barrels of oysters may be found therein within twenty-five hundred square feet of any position of said reef or bed; and any lands covered by water containing less oysters than the above amount shall be subject to location at the discretion of the Game, Fish and Oyster Commissioner, but this shall not apply to a reef or bed that has been exhausted within a period of eight years.

Art. 9. Whenever any creek, bayou, lake or cove shall be included within the metes and bounds of any original grant or location of land in this State, the lawful occupant of such grant or location shall have the exclusive right to use said creek, lake, bayou or cove for gathering, planting, or sowing oysters within the metes and bounds of the official grant or patent of said land. Provided,

that the Game, Fish and Oyster Commissioner may require the owner of oysters produced on such lands, when such oysters offered for sale to make an affidavit that such oysters were produced on this land. And the failure of the person claiming that such oysters were produced on his private oyster bed or bottoms, to have and to show such affidavit to the Game, Fish and Oyster Commissioner or one of his deputies, or to the person to whom he offers such oysters for sale, shall be presumptive that such oysters were taken from a public bed, and on prosecution for the same it shall devolve on the defendant to show that such oysters were taken from his private bed, or bottom of oysters. No person shall locate water or ground covered with water for planting oysters along any bay suore in this State, nearer than 100 yards from the shore.

Art. 10. There shall be and is hereby levied a tax of not less than one-fifth of one per cent per pound on all fish, and shrimp, taken and sold or offered for sale in this State, and not less than two cents a barrel on all oysters, sold or offered for sale in this State, whether from private or public beds, and offered for sale or shipment, and not less than one-half a cent per pound on all turtles, and not less than twenty-five cents on each terrapin offered for sale and shipment. Such tax shall be paid under such rules and regulations as the Game, Fish and Oyster Commissioner shall prescribe. For all purposes mentioned in this Title or Section, a barrel of oysters shall be deemed and taken to consist of three boxes of oysters in the shell, said boxes to be of the following dimensions; ten inches wide by twenty inches long and thirteen and one-half inches in depth. In filling such boxes for measurement, such oysters shall not be placed or deposited in such box in a way that will make them fill the box more than two and one-half inches in the center above the height of the box. Provided that two gallons of shucked oysters without their shells shall be considered and deemed by this Act as equal to one barrel of oysters in the shell. It is hereby specially provided that the title to the shells, from which oysters are taken, shall remain in the State and the Game, Fish and Oyster Com-

missioner is directed to handle, control or sell same under the same rules and regulations as fixed by law, or may hereafter be fixed by law, for the handling, control or sale of other shells or mudshell taken from the tidal waters of the State.

Art. 11. The Game, Fish and Oyster Commissioner is hereby authorized and empowered to collect all taxes and licenses, fines and forfeitures and all money due said department, by deputies or persons specially employed for that purpose.

Art. 12. Any person who shall use any measurement other than that established in Article 10 of this Act for the measureemnt of oysters in the purchase and sale of oysters, shall be deemed guilty of a misdemeanor and on conviction thereof shall be fined in a sum of not less than ten and not more than twenty-five dollars, and any person who shall fill the measuring box, as adopted in Article 10 of this Act, in the buying and selling of oysters, higher than two and one-half inches in the center of such measuring box, shall be deemed guilty of a misdemeanor, and on conviction shall be fined in a sum of not less than ten nor more than twenty-five dollars.

Art. 13. Any person who shall not pay, or who shall refuse to pay the tax imposed on the purchase and sale of fish, oysters, turtle, terrapin and shrimp, as imposed in Article 10 of this Act, or who shall not pay or shall refuse to pay the taxes established and fixed by the Game, Fish and Oyster Commissioner in Article 10 of this Act, shall be deemed guilty of a misdemeanor, and on conviction shall be fined in a sum not less than fifty nor more than one hundred dollars, and if such person shall be a licensed fish dealer or fisherman or oysterman, his license as a fish dealer or fisherman shall be cancelled and not reissued for a period of three years.

Art. 14. Any person who is a citizen of the United States wishing to use a boat in catching or taking fish, green turtle, terrapin or shrimp or gathering oysters or other marine life for market in public waters of this State, in accordance with the provisions of the fish and oyster laws of this State, shall apply to the Game, Fish and Oyster Commissioner or his deputies for permission to do so. Such applicant shall furnish said

officer under oath his name, place of residence, the name and kind of boat to be used by him, together with the number of men to be employed by him. Thereupon the officer shall register such boat which register number shall be distinctly painted, as the Game, Fish and Oyster Commissioner may designate, on such boat, for which registration he shall pay the said officer one dollar and fifty cents and the said officer shall furnish the applicant with a certificate of such registration, such certificate shall be for twelve months from date of issuance.

Art. 15. Any captain or master of any boat wishing to engage in the business of catching or taking any fish, turtle, terrapin, shrimp, or oysters or other marine life from the waters of the State for market shall, before engaging in such business, secure from the Game, Fish and Oyster Commissioner, or one of his deputies, a license granting to him permission to take from the waters of the State, fish, turtle, terrapin, shrimp, or oysters; provided, that the license in exercising the privilege named in this license, shall at all times be governed by the fish and oyster laws of this State. For the purpose of obtaining this license the person desiring same must make written application to the Game, Fish and Oyster Commissioner, or one of his deputies in which he, the applicant shall set forth under oath, that he is a citizen of the United States and the name, class and register number of his boat. If the application be for a license to use seines and nets, the applicant shall state the number, class and length of the seines and nets to be used by him, and if the application be for a license to gather oysters he must state the number of tongs to be used by him, and the applicant shall also agree that because of the privilege he shall receive from the State of Texas, of taking fish, turtle, terrapin, shrimp or oysters from her waters, or the marine life, all such products at all times shall be subject to inspection by the Game, Fish and Oyster Commissioner, or any of his deputies, and that said applicant shall authorize said Commissioner, or any of his deputies, to enter at any time the boat or any house or place, where he, the applicant, may have such products stored and inspect same; and he the applicant shall further

agree to pay to the State of Texas a special tax provided for in Article 10 of this Act. This application having been duly executed and handed to the Game, Fish and Oyster Commissioner, or any of his deputies, accompanied by the applicant's registration certificate and the fee for the license applied for, it shall thereupon be the duty of the Game, Fish and Oyster Commissioner or the deputy receiving same, to issue to the applicant a license to engage in the business set forth in his application, and the license shall be subject to such limitations and control as herein prescribed and as is or may be prescribed by the laws of this State. Said license must be signed by the Game, Fish and Oyster Commissioner, or his deputy, stamped with the seal of office and state the name of the licensee, name and class of his boat and the date of issuance. Such license shall be for twelve months, if for fishing for fish, turtle, or shrimp, and from September the first to April the first, following the date of license, if for gathering oysters; and from November the first to February the first inclusive, if granted for the purpose of catching terrapins, and for said license the applicant shall pay the sum of one dollar. The license so issued shall be kept on the boat subject to the inspection of the Game, Fish and Oyster Commissioner or any of his deputies, and it shall not be good for any other person or any other boat than the original named therein without the consent of the Game, Fish and Oyster Commissioner, or one of his deputies, having first been had, which consent or assignment shall be written across the face of said license; provided, that if at any time such licensed captain or master of a boat shall violate any of the fish and oyster laws of this State, or shall at any time refuse to comply with any provision made in his application for license, the Game, Fish and Oyster Commissioner is authorized to cancel said license and the boat registration certificate, notice of which shall be given by the Fish and Oyster Commissioner in writing and delivered to the licensee, and such license to such captain and the registration of such boat shall not be renewed for three years. Any person wishing to engage in the taking or catching of any fish, turtle, terrapin, shrimp, or oysters

for market as the employee of the owner or as a part of the crew of any registered boat, shall procure a license in the name and manner and character as the captain or master of any registered boat engaged in taking or catching fish, turtle, terrapin, shrimp, or oysters or other marine life, for market; provided, that one license so issued under this Article shall authorize the licensee to engage in taking or catching any of the products named herein.

Article 16. For the protection of the fish and oyster industry, and individual, firm or corporation, engaged in, or who may engage in, the business of a wholesale dealer or dealers in fish and oysters, shall secure from the Game, Fish and Oyster Commissioner, or one of his deputies, a license granting such individual, firm or corporation, permission to engage in said occupation for one year. For the purpose of obtaining this license the applicant desiring same must make written application to the Game, Fish and Oyster Commissioner, or of one of his deputies, in which he (the applicant) shall set forth under oath, if required, that he is a citizen of the United States by birth or not being so shall state that he has been granted full naturalization papers and by what court and at what time they were granted. Where a corporation applying for permit to conduct a wholesale business in fish, oysters and other marine products as mentioned, contains foreigners, it shall conform to the foregoing provision as applied to individual applicants. He shall also agree that, because of the privilege which he applies for from the State of Texas, that all products handled by him shall, at all times be subject to the inspection of the Game, Fish and Oyster Commissioner, or any of his deputies; and in said application he shall authorize said Commissioner or any of his deputies to enter his place of business, or any place where he may have such products stored, and inspect same. He shall also agree to keep a correct record of all fish, oysters, shrimp and other taxed marine life handled by him under this law in a book to be furnished by the Game, Fish and Oyster Commissioner; and, further, that failure on his part to keep a correct record shall be grounds for the forfeiture of his license granted him under the application aforesaid.

This application, having been duly executed and delivered to the Game, Fish and Oyster Commissioner, or any of his deputies, together with a fee of ten dollars for same, it shall be the duty of the Game, Fish and Oyster Commissioner, or his deputy to issue to the applicant a license to engage in the business set forth in the application. Said license must be signed by the Game, Fish and Oyster Commissioner, or one of his deputies stamped with the seal of his office, and state the name of the licensee, place of business and the kind of license applied for, and shall be good for twelve months following the date of issuance. For such license the applicant shall pay one dollar for each one thousand pounds of fish handled by him, and a tax of one cent per barrel on oysters handled by him, which tax, shall be paid monthly, the tax to be paid on the first of each month, which may be due upon the product handled during the preceding month as shown by the record books hereinbefore mentioned. And any person, firm or corporation or association of persons or any officer, agent or employee of any company, corporation or association of persons, who shall engage in the business of a wholesale dealer in fish and oysters or either, without procuring a license to follow said business or without paying the tax and fee required by this article shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than one hundred dollars nor more than two hundred dollars; and each day such business may be engaged in, in violation of this article, shall constitute a separate offense, and upon conviction for pursuing said occupation without payment of the tax and fee required by law or for any other violation of the game, fish and oyster law, the license of such dealer shall be forfeited. A wholesale dealer in the meaning and definition of this Act is any person, corporation or firm or partnership engaged in the business of buying and selling fish, oysters, shrimp, turtle, terrapin, crabs, clams, oysters or other commercial marine life.

Art. 17. The applicant for any license under this Act, based upon fish and oysters handled, shall upon the issuance of such license, deposit with the Game, Fish and Oyster Commissioner, or required to do so by such officer, an amount of money,

to be fixed by the said Commissioner, in addition to the ten dollars required of him as a wholesale dealer as defined in Article 16, sufficient to cover the estimated amount of tax that would be due by applicant upon monthly business of applicant, and against which deposit the tax due may be charged by the commissioner, and said applicant shall make additional deposits in sufficient amounts to at all times maintain a deposit sufficient to cover the estimated tax that may be due by applicant, which additional deposit shall be made upon request of the Game, Fish and Oyster Commissioner.

Art. 18. Any person who is a citizen of the United States, any corporation having been chartered in this State shall have the right of obtaining a location for planting oysters and making private oyster beds within the public waters of this State, by making written application to the Game, Fish and Oyster Commissioner, or his deputy, describing the location desired. A fee of twenty dollars cash must accompany such application.

Art. 19. When the application and fee provided for in Article 18 has been placed in the hands of the Game, Fish and Oyster Commissioner, it shall then be the duty of the Game, Fish and Oyster Commissioner, or his deputy, to examine thoroughly the location desired, as soon as practicable, with tongs, dredge, or any other efficient manner; and, if the same be not natural oyster bed or reef, and exempt from location by any section or article of this Chapter, he shall have the location surveyed by a competent surveyor. In making said location, said surveyor shall plant two iron stakes or pipes on the shoreline nearest to the proposed location, one at each of the proposed location, which said stakes or pipes shall be not less than two inches in diameter and be set at least three feet in the ground. Said stakes or pipes shall be placed with reference to bearings of not less than three natural permanent objects or land marks. And the locator shall place and maintain under the direction of the Game, Fish and Oyster Commissioner, or his deputy, a buoy at each corner of his oyster claim farthest from the land. All locations for private oyster beds shall be made outside of the riparian limits as defined in the laws relating thereto.

Art. 20. The Game, Fish and

Oyster Commissioner, or his deputy shall give the locator a certificate signed by the Game, Fish and Oyster Commissioner and stamped with the seal of his office; such certificate shall show the date of application, date of survey, number, description of metes and bounds with reference to the points of the compass and natural and artificial objects by which said location can be found and verified. And the locator shall before such certificate is delivered to him, pay the Game, Fish and Oyster Commissioner, or his deputy, surveyor's fees, and all other expenses connected with establishing such location. Such sums, as costs of the location and establishment of the claim, are less than twenty dollars paid to such commissioner, or deputy, the difference in amount shall be returned to such locator by the Commissioner or deputy. If such expenses amount to more than twenty dollars the deficit shall be paid to the Game, Fish and Oyster Commissioner by the locator.

At any time not exceeding sixty days after the date of such certificate of location, the locator must file the same with the county clerk of the county in which the location is situated, who shall record the same in a well bound book kept for that purpose, and the original with a certificate of registration shall be returned to the owner or locator; the clerk shall receive for the recording of such certificate the same fee as for recording deeds; the original or certified copies of such certificates shall be admissible in evidence under the same rule governing the admission of deeds or certified copies thereof.

Art. 21. Any person so locating, shall be protected in his possession thereof against trespass thereon in like manner as freeholders are protected in their possessions, as long as he maintains all stakes and buoys in their original and correct position, and complies with all laws, rules and regulations governing the fish and oyster industries.

Art. 22. No person, firm or corporation, shall ever own, lease or otherwise control more than one hundred acres of land covered by water, the same being oyster locations under this chapter, and within the public waters of this State; and any person, firm or corporation that now holds more than one hundred

acres of oyster locations, shall not be permitted hereafter to acquire, lease or otherwise control more; provided that no corporation shall lease or control any such lands covered by water unless such corporation shall be duly incorporated under the laws of this State.

Art. 23. Any person, firm, or corporation who has secured, or may hereafter secure a location for a private oyster bed in this State, shall keep the two iron stakes or pipes and buoys as provided for in Article 19, in place, and shall preserve the marks so long as he is the lessee of said location, and this shall apply also to any person, firm or corporation acquiring any location by purchase or transfer of any nature, and said locator or the assignee of any locator shall have the right to fence said location or any part thereof; provided, that said fence does not obstruct navigation through or into a regular channel or cut leading to other public waters.

Art. 24. The owner or locator of private oyster beds under provisions of the foregoing articles shall not be required to pay any rentals on such locations for a period of five years, or until such time as he shall begin to market or sell oysters from such location or bed. When such locator shall begin to sell or market oysters from such location he shall pay the State one dollar and fifty cents per acre per annum and two cents a barrel or such tax as may be imposed under section ten of this Act on oyster sales, and failure to pay such rental by the 1st day of March each year shall annul and be a forfeiture of his lease. And if oysters are not marketed or sold from such location within five years from the date of location, such location shall become void.

Art. 25. Any person who is a citizen of the State of Texas, or any corporation chartered by the said State of Texas, to engage in the culture of oysters or transact business in the purchase and sale of oysters and fish and composed of American citizens, wishing to plant oysters on their own oyster locations or to take oysters from oyster reefs and public waters of the State of Texas for the purpose of preparing them for market, shall make application to the Game, Fish and Oyster Commissioner for permission to do the same. In such application the applicant

shall set out distinctly the purpose for which he desires such oysters, and also the amount or number that he desires to take from the beds and waters mentioned. The Game, Fish and Oyster Commissioner may grant such permit or he may refuse to do so. But if he should grant such permit he shall require the applicant to take the oysters he is authorized to take from beds or reefs designated by such commissioner and name them in the permit; he shall mark off the exact area of such beds or reefs from which such oysters shall be taken; he shall designate the bottoms on which such oysters shall be deposited, if they are taken to be prepared for market; he shall require the applicant to cull the oysters taken on the grounds where they are to be located; he shall state what implements, such as tongs and dredges shall be used in taking such oysters and he shall make and enforce all the other regulations he may think necessary to protect and conserve the oysters on the reefs and beds from which the applicant hereinbefore mentioned is permitted to take oysters. When any person or corporation takes oysters, under the provisions of this Act from the public reefs for planting purposes and places them on his or its own private bed or reef, or takes oysters from such public reefs or beds for the purpose of preparing them for market, and places them on such beds or bottoms designated by the Game, Fish and Oyster Commissioner, where they may be prepared for market, such oysters shall become the personal property of the person or corporation planting them, in the first instance, or depositing them in the second instance. Provided, that the person or corporation planting the oysters or depositing them for preparation for market shall, by buoys or stakes or by fencing, clearly and distinctly mark the boundaries of the bed planted or the boundaries of the deposit of oysters made for preparation for market; and no prosecution of any one shall be permitted for taking such oysters unless the boundaries of the private beds and the boundaries of the deposit for the market preparation are established and maintained.

Art. 26. Any person taking the oysters placed on private reefs or any

person taking oysters from beds or deposits made for the purpose of preparing them for market, without the consent of the owner of the private reef or the owner of the oysters who has deposited them to prepare them for market, under the provisions of the foregoing article 25, shall be deemed guilty of theft and on conviction shall be punished by confinement in the penitentiary for a term of not less than one and not more than two years.

Art. 27. Any person who is an American citizen desiring to fish in the public waters of this State, or fish for oysters, fish, shrimp, turtle, terrapin, clams, crabs or other marine animal life, for the purpose of selling them, shall procure from the Game, Fish and Oyster Commissioner or his deputy, a license to do so, and such person shall pay the fee of one dollar for such license, which shall be for one year from the date thereof and obligate the holder to observe all the laws of the State enacted to conserve the marine life of such public waters. Any person who fishes in the public waters of this State for oysters, fish, shrimp, turtle, terrapin, crabs, clams and other marine life for market or sell such product of such waters, without first procuring a license to do so shall be deemed guilty of a misdemeanor and on conviction shall be fined in a sum of not less than ten and not more than fifty dollars.

Art. 28. It shall be the duty of any person fishing for market or for the sale of the marine life set forth in Article 27, in the waters of this State to carry with him the license to do so as issued him as provided in said Section 27, and shall show it to the Game, Fish and Oyster Commissioner when requested to do so. And any person having such license and refusing to show it to the Commissioner or his deputy as aforesaid, when requested to do so, shall on conviction, be fined in a sum of not less than five nor more than twenty-five dollars.

Art. 29. Any person who shall deface, injure or destroy or remove any buoy, markers or fence or any parts thereof, used to designate or enclose a private oyster bed or a location where oysters have been deposited to be prepared for market, without the consent of the owner

thereof, any buoy, marker, or sign placed or used by the Game, Fish and Oyster Commissioner for the purpose of designating any waters closed against fishing or oyster taking, without the consent of the Game, Fish and Oyster Commissioner, shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum not less than fifty nor more than two hundred dollars.

Art. 30. It shall be unlawful for any person to catch or attempt to catch any fish, green turtle, loggerhead, terrapin, or shrimp in any of the bays or navigable waters of this State, within the limits or within one mile of the limits of any city or town in this State, with seines, drags, fykes, set nets, trammel nets, traps, dams or weirs. A town or city in the meaning of this Act shall be a collection of one hundred families within an area of one square mile. Any one violating any of the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in any sum not less than twenty-five nor more than two hundred dollars. In all prosecutions under the provisions of this Act, the identification of the boat from which such violation or violations occur shall be prima facie evidence against the owner, lessee, person in charge or master of such boat. It shall be the duty of such town to establish and maintain the buoys, stakes or other marks designating the limits of the one mile within such seines shall be hauled and such nets set.

Art. 31. The mesh of all seines and nets used for taking fish in the salt waters of this State, not including the bag, shall not be less than one and one-half inch square mesh. The mesh of the bags and for fifty feet on each side of the bags, shall not be larger than a one inch square mesh. No seine of over fifteen hundred feet shall be dragged or pulled in the salt water of this State, and any person dragging such seine or dragging two seines which are connected or tied together to secure a longer haul than fifteen hundred feet, shall be deemed guilty of a misdemeanor, and on conviction shall be fined in a sum of not less than twenty-five, nor more than one hundred dollars. And the Game, Fish and Oyster Commissioner shall de-

stroy such seines of illegal length or tied together or connected for unlawful use, as a nuisance and no suit shall be maintained against him therefor.

Art. 32. All seines and nets used in the salt waters of this State shall be examined by the Game, Fish and Oyster Commissioner or one of his deputies to see that they conform to the requirements of this law as to length and size of mesh, and if they are found to conform to such requirements, the Game, Fish and Oyster Commissioner shall tag such seines or nets with a metal tag on which shall be indented the number of such seine and net; the cost of such tag, twenty-five cents, to be paid by the owner of such seine or net. The Game, Fish and Oyster Commissioner shall then issue to the owner of it, a permit to use such seine or net for one year from the date of such permit. And such permit shall state the name of the owner of such net, the date on which it was issued, the size of the mesh and the length and kind of such net. The Game, Fish and Oyster Commissioner shall keep a record book in which the date of the issuance of such permit, the name of the owner, the number of the tag, the size of the mesh and the length of such seine or net shall be kept. It shall be the duty of the owner of the seine or net to keep the tag attached to such seine or net on such seine or net, and where a seine or net is used without such tag being attached, it shall be prima facie evidence that such net is an unlawful seine or net and is hereby declared to be a nuisance and the Game, Fish and Oyster Commissioner shall abate and destroy the same and no suit for damages for such destruction shall be brought against him therefor. Any person who shall drag, haul or set any net in the salt waters of this State without first having such net examined by the Commissioner aforesaid, and tagged and a permit as provided for in this Article issued by the Game, Fish and Oyster Commissioner or his deputy, shall be deemed guilty of a misdemeanor, and on conviction he shall be fined in a sum of not less than twenty dollars and not more than one hundred dollars, and the seine or net shall be destroyed as herein provided as a nuisance.

Art. 33. Any person leasing an oyster claim or oyster reef in waters

where seining is prohibited may apply to the Game, Fish and Oyster Commissioner for permission to seine for drum fish in such waters. In his application he shall make oath that the drum fish are seriously damaging his oysters, and that if he is permitted to seine for such drum fish in such waters, he will not take or destroy any other food fish, but will throw them back into the water. If the Commissioner is satisfied that such damage is being done he may grant such permission to the person applying for it, specifying in such permit the length of time in which it is to be used, and the claim or reef on which it is to be used. And such Commissioner shall assign a deputy fish and oyster commissioner to superintend such seining and no seine shall be dragged except in his presence, and for which a person obtaining the permission to seine, as set forth above, shall pay to the Game, Fish and Oyster Commissioner \$2.50 per day, to be placed in the special fish and oyster fund, for such services. The person granted such permission shall board the deputy fish and oyster commissioner during his superintendency of such seining. If the person obtaining the permission shall violate any of the provisions of this Act he shall be prosecuted and punished under the criminal laws of this State applicable in such cases.

Art. 34. Any person who shall take, catch, ensnare or entrap any fish by means of nets or seines or by poisoning, polluting or by use of any explosives, or by muddying, ditching or draining in any lake, pool or pond in any county within this State without the consent of the owner of such lake, pool or pond, shall be deemed guilty of a misdemeanor and on conviction shall be fined in a sum of not less than ten and no more than one hundred dollars, and, in all prosecutions under this law, the burden of proof of such consent of the owner shall devolve and be upon the defendant.

Art. 35. The catching, taking or killing of fish, green turtle or terrapin in any of the salt waters or fresh waters, lakes or streams in the State by poison, lime, dynamite, nitroglycerine, giant powder or other explosive, or by the use of any drugs, substances or thing deleterious to fish life, is hereby prohibited; and any person offending against this article shall be deemed guilty of a misde-

meanor, and upon conviction shall be fined not less than twenty-five dollars nor more than two hundred dollars, and by confinement in the county jail not less than thirty nor more than ninety days.

Art. 36. It shall be unlawful for any transportation company operating within this State, its officers, agents or employes, to receive for shipment, or to ship, within the boundaries of this State, from the first day of May to the first day of September of any year, any oysters from any public bed or reef, for depositing or for marketing; provided that nothing in this chapter shall be so construed as to prohibit any such transportation company, its officers, agents or employes, from shipping, or receiving for shipment, any oysters taken from a private bed located under the laws of this State, offered for shipment by the owner or owners, locator or locators, of such bed; such fact to be established by the written affidavit of the person or persons offering such oysters for shipment, made before an officer authorized to take oaths. Any officer, agent or employe of such transportation company violating the provisions of this Section shall be deemed guilty of a misdemeanor and upon conviction shall be fined for each offense not less than ten nor more than one hundred dollars.

Art. 37. It shall be the duty of every person, firm or corporation, municipal or private, who has heretofore erected, or who may hereafter erect any dam, water weir, or other obstruction, or any regular flowing stream within this State, on the written order of the court of county commissioners in the county in which such dam, weir or other obstruction has been erected or constructed, to build, construct and keep in repair fish ways, or fish ladders, at such dam, water weir, or obstruction, at the discretion of the Game, Fish and Oyster Commissioner so that at all seasons of the year fish may ascend above such dam, weir or obstruction, to deposit their spawn. Any person, firm or corporation, whether private or municipal, who shall erect such dam, weir or obstruction, or any firm, person or corporation, whether private or municipal, who shall own or maintain any such dam, obstruction or weir, who shall fail or refuse to build, construct and keep in repair

such fish way, or fish ladder, within 90 days after having been notified by the Game, Fish and Oyster Commissioner of this State to do so, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than \$25.00 nor more than \$500.00; provided, that each week after the expiration of 90 days after receiving notice, as herein provided that such persons, firm or corporation, municipal or private, shall fail or refuse to build, construct and keep in repair, such fish ladder, shall constitute a separate offense.

Art. 38. It shall be unlawful for any person to fail or refuse to scatter the culls of such oysters as he may take from the oyster reefs as directed by the Game, Fish and Oyster Commissioner, and any person so failing or refusing to scatter such culls, as directed by the Commissioner, shall be deemed guilty of a misdemeanor and on conviction he shall be fined in a sum not less than ten nor more than one hundred dollars. And on such conviction the Game, Fish and Oyster Commissioner may cancel the license of the captain of the boat on which such person is employed or for which he is gathering oysters, and he shall also cancel the license to gather oysters of such person offending, and no new license shall be issued to such captain or to such person convicted for a period of three years.

Art. 39. It shall be unlawful for any person to catch any fish in the tidal or coastal waters of the State during the months of June, July and August of each year by the use or employment of any drag seine or net or to drag any seine or net or other device, except a minnow seine for catching bait of not more than twenty feet in length or a shrimp seine as hereinafter provided in Article 50 of this Act, in such coastal and tidal water; and it shall be unlawful for any person at any time to place or set or drag any net or seine or use any other device or method for taking fish, other than with the ordinary pole and line or cast net, or minnow seine for catching bait of not more than twenty feet in length within the waters of San Luis Pass, which leads from Matagorda Bay to the Gulf of Mexico; Brown's Cedars Pass, which leads from Matagorda Bay to the Gulf of Mexico; Pass Cavallo, which

leads from Matagorda Bay to the Gulf of Mexico, between the town of Matagorda and the mouth of Nancy Creek; Cedar Bayou which leads from Mesquite Bay to the Gulf of Mexico; Aransas Pass which leads from Aransas Bay to the Gulf of Mexico; Corpus Christi Pass which leads from Corpus Christi Bay to the Gulf of Mexico; and all other passes connecting the bays and tidal waters of the State with the Gulf of Mexico, or within one mile of such passes, or within the waters of any pass, stream or canal leading from one body of Texas bay or coastal waters into another body of such water. And the Game, Fish and Oyster Commissioner, whenever he has reason to believe it is best for the protection and conservation and increase of fish life, or to prevent their destruction in the bays or parts thereof, or such tidal waters of the State, to close such bays or parts thereof, or such tidal waters against all forms and kinds of seining or netting or using gigs, spears and lights, he is hereby authorized to close such waters against fishing with any seine, net, spears, gigs, lights or other devices, except with a hook and line or cast net or minnow seine of not more than twenty feet in length. But before such closing of bays or parts thereof, or of other tidal waters against such seining and net-tong, and the using of gigs, spears and lights, the Game, Fish and Oyster Commissioner shall give notice of his intention to close such bays, or parts thereof of such tidal waters for two weeks prior to such closing by posting notices near such waters and after the date set for such closing and which shall appear in such notices of the proposed closing of such waters, it shall be unlawful to drag a seine, or set a net or use a gig, spear or lights in taking fish in such bays and parts of bays and such tidal waters for that period of time that the said Commissioner shall, in such notices, declare they shall be closed. Any person who shall drag any seine or set any net or use any gig or spear or light to take fish in such closed waters, shall be deemed guilty of a misdemeanor, and on conviction shall be fined in a sum of not less than twenty-five nor more than two hundred dollars, and shall be confined in the county jail for a term of not less than thirty nor more than ninety days, and any net,

seine or boat used or employed in the violation of this Act shall be and is hereby declared a nuisance and the Game, Fish and Oyster Commissioner or his deputy shall abate and destroy the same and no suit shall be maintained in the courts against him for such abatement and destruction.

Art. 40. Any person who shall carry on, or over, or into the waters of such passes leading from the inland bays or tidal waters of this State to the Gulf of Mexico, any seine or net except a cast net used for catching bait, or a minnow net not exceeding twenty feet in length, or shall carry by vehicle or in any other way, any seine or net except a cast net used for catching bait or a minnow seine not exceeding twenty feet in length, to any point or place within one mile of such passes, or shall have in his possession within one mile of such passes any net or seine except a cast net for catching bait, or a minnow seine not exceeding twenty feet in length, shall be deemed guilty of a misdemeanor, and on conviction, shall be fined in a sum not less than twenty-five dollars and no more than two hundred dollars, and shall be confined in the county jail for not less than thirty nor more than ninety days. And any boat or vehicle used in carrying any seine or net, except a cast net used for catching bait, or a minnow seine more than twenty feet in length, into or on or over waters of such passes, and any seine or net carried into or found within one mile of such passes, or found in the possession of any one within one mile of such passes, such be and is hereby declared a nuisance, and it shall be the duty of the Game, Fish and Oyster Commissioner or his deputies, to abate and destroy the same and no suit shall be maintained in the courts against them for such abatement and destruction. Provided nothing in this law shall apply to the carrying of nets and seines over closed waters within one mile of any town.

Art. 41. Nothing in the foregoing articles shall apply to vessels engaged in carrying freight or passengers, and engaged as seagoing vessels in coast and foreign trade, and licensed and recognized as such by the Federal Government. And provided further, that the Game, Fish and Oyster Commissioner may grant

permits to persons desiring to fish, to carry their boats, nets and seines, and vehicles into, over and on such passes or closed waters or on land to within the mile limits of such passes, and at what time such boats, vehicles, nets and seines shall be taken away from such mile limit and such passes.

Art. 42. In all prosecutions under Articles 39 and 40 of this Act, the identification of the boat or vehicle or the seine or net by which or from which the violation of the law occurred, shall be prima facies evidence against the owner or party last in charge of such boat or against the owner of the vehicle or seines or net.

Art. 43. The Game, Fish and Oyster Commissioner is hereby authorized to permit the use of, any shrimp seine or other device for catching shrimp in the tidal waters of this State. Any person desiring to use such seine shall apply to the Game, Fish and Oyster Commissioner or his deputy, for a permit to use such seine, net or other contrivance for catching shrimp and such commissioner or his deputy shall fix and establish the mesh, construction, depth and length of such seines or net or other contrivance so that it shall not be used for other purposes than in taking shrimp, and he shall tag seine officially and issue such permit he shall state in what waters and localities such seines or nets shall be used. And any person using such shrimp seine or other contrivance for catching shrimp in the tidal waters of this State without the permit herein provided for, or who shall use any seine or contrivance or net in any waters or locality other than that stated in such permit, shall be guilty of a misdemeanor and on conviction shall be fined in a sum of not less than twenty-five nor more than two hundred dollars and such nets and seines or contrivances thus used in violation of this article shall be and is hereby declared a nuisance and the Game, Fish and Oyster Commissioner or his deputy shall abate and destroy the same and no suit shall be maintained in the courts for such abatement and destruction.

Art. 44. Any person offering for sale, or who shall sell, any cargo of oysters which shall contain more than five per cent young oysters, shall be deemed guilty of a misdemeanor and upon conviction, shall

be fined not less than ten dollars, nor more than two hundred dollars. Any oyster that measures less than three and one-half inches from hinge to mouth shall be deemed a young oyster for the purpose of this and the preceding article. The Game, Fish and Oyster Commissioner is authorized to permit the taking of oysters from any reef he may designate, of less size than three and one-half inches, but it shall be unlawful to take oysters from reefs other than those designated by such commissioner, and any one taking such oysters smaller in measurement than three and one-half inches from hinge to mouth from other than such reefs as designated by such commissioner, shall be deemed guilty of a misdemeanor and upon conviction, shall be fined in a sum of not less than twenty-five nor more than two hundred dollars.

Art. 45. It shall be unlawful for any person to take or catch oysters from any public beds or reefs, for sale or for market, from the first day of April to the first day of September of each year. Any person offending against this article shall be deemed guilty of a misdemeanor, and, upon conviction, shall be fined not less than ten dollars nor more than two hundred dollars, and each day shall constitute a separate offense; provided, that part of Laguna Madre, south and west of Baffin's Bay be excepted and examined from the operation of this article.

Article 46. It shall be unlawful for any person gathering oysters for planting or depositing for preparation for market, on locations obtained from the State or on private property, to sell, market or in any way dispose of oysters so gathered at the time of gathering, for any other purpose than planting, or preparing for market, provided, this shall not be considered as meaning the right to dispose of a location or oyster bed. Any person offending against this article shall be deemed guilty of a misdemeanor, and, upon conviction, shall be fined in any sum not less than fifty nor more than two hundred dollars.

Art. 47. It shall be unlawful for any person, firm, corporation or joint stock company to gather seed oysters for planting without having first obtained a permit or license to do so

from the Game, Fish and Oyster Commissioner, or his deputy, said permit or license to designate the reef or beds from which the applicant is allowed to gather seed oysters, or oysters to be prepared for market as provided in Article 25 of this Act and any person, agent, employee or officer of a firm, corporation or joint stock company gathering or having gathered oysters for planting or oysters to be prepared for market, shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not less than fifty dollars, nor more than two hundred dollars.

Art. 48. If any person shall refuse to pay any tax provided in this Act on any fish, oysters, shrimp, turtle, terrapin, clams, crabs or other marine life which he has sold, he shall be deemed guilty of a misdemeanor, and, upon conviction shall be fined in a sum of not less than ten nor more than one hundred dollars.

Art. 49. Whenever the Game, Fish and Oyster Commissioner believes that any public reef is being overworked or damaged in any way, or where such reef has been worked under his supervision, he may close such reef against any one taking oysters from it, but before he closes such reef he shall give two weeks' notice of such closing by posting notices in such fish houses as are in two towns nearest such reefs. In such notices he shall state the date of closing and the time for which such reefs shall be closed, and any person taking oysters from such reefs within the time closed by such Commissioner he shall be deemed guilty of a misdemeanor, and on conviction shall be fined in a sum of not less than twenty-five nor more than two hundred dollars.

Article 50. Whenever the Game, Fish and Oyster Commissioner believes that an oyster bed can be improved by the use of dredges he may grant the use of such dredges on such reefs, but only under the superintendence, supervision, and in the presence of a deputy fish and oyster commissioner. And the Game, Fish and Oyster Commissioner is authorized to purchase boats and implements and employ labor to work such public oyster reefs and beds as he thinks can be improved thereby, the expense of which shall be paid

from the Fish and Oyster Fund of the State on warrants issued by the Comptroller on the sworn statement as to the correctness of such expense by the Game, Fish and Oyster Commissioner.

Art. 51. Complaints against any person for the violation of the game, fish and oyster law of this State may be made before any justice of the peace of the county in which the offense is charged to have been committed, and he shall have jurisdiction to try and dispose of the case; provided the penalties prescribed for such offenses are within the jurisdiction of justices of the peace.

Art. 52. Any court, office or tribunal having jurisdiction of the offense set forth in this chapter, or any district or county attorney may subpoena persons and compel their attendance as witness to testify as to violations of any of the provisions of this law; and any person so summoned and examined shall not be liable to prosecution for any of the violations of this law about which he may testify; and a conviction of said offense may be had upon the unsupported evidence of an accomplice or participant.

Art. 53. It shall be unlawful for any person to sell or offer for sale or to have in his possession for sale, or to have in any mercantile business establishment, or in any market where merchandise is disposed of, any red fish or channel bass of greater length than twenty-seven inches or less than fourteen inches; any salt water or speckled sea trout of less length than twelve inches; any sheep head of less than nine inches in length; any flounder of less than twelve inches in length; any pompano of less than nine inches in length; any mackerel of less than thirteen inches in length; any Spanish mackerel of less than fourteen inches in length; and any person violating any of the provisions of the above part of this Article shall be deemed guilty of a misdemeanor and on conviction shall be fined in a sum of not less than ten dollars nor more than fifty dollars. The place of sale or offering for sale shall for the purposes of this Act to establish venue be either the place from which such fish are shipped or where the fish are found or offered for sale; and it shall be unlawful in selling or

offering for sale any fish mentioned in this Act, to sever the head from the body, except the gaff-topsail and June fish, and all fish marketed or sold must be weighed and sold with the head attached, except the gaff-topsail and June fish, and any person selling any fish hereinbefore mentioned, except the gaff-topsail and June fish without its head being attached to the body, shall be deemed guilty of a misdemeanor and on conviction shall be fined in a sum of not less than twenty-five dollars and no more than one hundred dollars.

Art. 54. All United States Coastal Survey Charts covering the coast of Texas shall be admissible as evidence in all prosecutions under this Act.

Art. 55. It shall be unlawful for any person to take or kill or have in his possession at any time within five years from the passage of this Act, any sea turtle, known as the Green turtle, and it shall be unlawful to destroy or take the eggs of such turtle and any person who shall take, kill or have in his possession within such five years, or shall destroy or take the eggs of such turtle shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in a sum of not less than fifty nor more than one hundred dollars.

Art. 56. It shall be unlawful for any person to take, kill, or have in his possession any salt water terrapin except during the months of November, December, January and February, and any person killing taking or having in his possession any salt water terrapin at any time except during the months of November, December, January and February, shall be guilty of a misdemeanor, and on conviction shall be fined in a sum of not less than fifty nor more than one hundred dollars.

Art. 57. It shall be unlawful to enter or trespass on any State fish hatchery or reservation set apart for the propagation or keeping of birds, fowls and animals of the State, and any person so entering and trespassing on the grounds of such hatcheries or on the grounds set apart by the State for the propagation and keeping of birds and animals, without the permission of the Game, Fish and Oyster Commissioner, or Deputy Game, Fish and Oyster Commissioner in charge of such reservation, shall be deemed guilty of a misdemeanor,

and on conviction shall be fined in the sum of not less than ten nor more than twenty-five dollars, and such trespasser as mentioned may be summarily ejected from such hatcheries, or grounds. Any person who shall take, injure or kill any fish kept by the State in its hatcheries, or any bird or animal kept by the State on its reservation grounds or elsewhere for propagation or exhibition purposes, shall be guilty of a misdemeanor, and on conviction shall be fined in a sum of not less than fifty nor more than two hundred dollars.

It shall be unlawful to bring into or keep on any fish hatchery or reservation for the propagation or exhibition of any birds, fowls or animals, any cat, dog, or other animal calculated to kill or injure any fish, bird or animal, and any cat, dog, or other predacious animal found on the grounds of such hatcheries or reservations as mentioned, is hereby declared to have become nuisances by their presence on the grounds of such hatcheries and reservations as mentioned, and the Game, Fish and Oyster Commissioner or his Deputy in charge as aforesaid shall abate and destroy them as nuisances and no suit for damages shall be maintained against such officials therefor.

Art. 58. It shall be unlawful for any person, firm or corporation to ship, sell or have in his possession for the purpose of sale any oysters or other fish taken from unsanitary or polluted oyster reefs or beds. For the purpose of this Act, any reef or bed of oysters which have been declared by the Food and Drug Commissioner of this State as insanitary or polluted, shall be within the meaning of this Act insanitary and polluted. Any person or firm or corporation, who or which shall sell or have in his possession for the purpose of sale, oysters from such insanitary and polluted reefs shall be deemed guilty of a misdemeanor, and on conviction shall be fined in a sum of not less than twenty-five and not more than two hundred dollars.

Art. 59. Any container or receptacle for oysters which has not been thoroughly cleaned before oysters are placed in it, is hereby declared to be insanitary, and any such persons selling oysters from such receptacle or shipping oysters in such receptacle shall be deemed guilty of a misde-

meanor, and on conviction shall be fined in a sum of not less than twenty-five nor more than one hundred dollars. It shall be unlawful for any person, firm or corporation to ship into or in this State, sell or have in his possession for the purpose of sale, any oysters or other shell fish in which any formaldehyde or other preservative has been placed, or any oysters or other shell fish which have been subjected to "floating," "drinking," or "bloating" in water containing less salt than that in which they are grown, or oysters or other shell fish to which water has been added either directly or indirectly or in the form of melted ice. Provided that unpolluted salt cold or ice water may be used in washing shucked or shelled oysters or other shell fish, if the washing does not continue any longer than the minimum time necessary for chilling and any person who engages in "floating," "drinking" or "bloating" oysters in this State, or who ships into or in this State such oysters or who has in his possession, sells or offers to sell any such oyster is guilty of a misdemeanor, and on conviction shall be fined in the sum of not less than twenty and no more than two hundred dollars.

Art. 60. It shall be unlawful for any person to set or drag in any of the public waters of this State, any net or seines made of wire or other metallic substance and any one so setting or dragging any net or seines made of wire or other metallic material, shall be declared guilty of a misdemeanor, and on conviction shall be fined in a sum of not less than fifty and no more than one hundred dollars. And the Game, Fish and Oyster Commissioner shall destroy such nets and seines as nuisances wherever found.

It shall be unlawful for any person to take or catch fish in the public fresh water rivers, creeks, lakes, bayous, pools, lagoons or tanks of this State, by any other means other than by the ordinary hook and line or trot line, or by a set or drag net or seine, the meshes of which are less than three inches square, or trammel net, the meshes of any part of which are less than three inches square, or by a minnow seine of more than twenty feet in length, and it shall be unlawful for any person to

place in the public fresh water rivers, creeks, lakes, bayous, pools, lagoons or tanks of this State any set or other device or trap for taking or catching fish other than a set or drag net or seine the meshes of which are less than four inches square. Any person violating any provision of this section shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined any sum not less than twenty-five nor more than one hundred dollars.

Provided, that the Game, Fish and Oyster Commissioner is authorized to close any of the water mentioned in this Section against the use of nets or seines or any particular kind of such nets and seines whenever he thinks that such closing is necessary or best to protect and conserve the fish in such waters. But before closing such waters against the use of seines or nets or any particular kind of seine or net, he shall give notice by posting his intentions for two weeks, at not less than three stores or other places in proximity to such waters.

Any person who shall fish with a net or seine in such closed waters or who shall use such particular kind of net or seine, as forbidden in such waters, after the notice given as above required, shall be deemed guilty of a misdemeanor and on conviction shall be fined in a sum of not less than twenty-five and no more than one hundred dollars.

Art. 61. All fresh water rivers and streams in this State and all lakes, lagoons and bodies of rivers, except tidal bays or coastal waters, such as bays and gulfs, shall be and are hereby declared to be fresh water streams and rivers to their mouths, for the purposes of this Act, and it shall be unlawful to set nets or drag seines or fish in other ways in such streams, rivers and their connecting lakes, lagoons and bodies of water mentioned, except in conformity with the laws herein enacted to govern, apply and control in fresh water fishing.

Article 62. Any person dragging a seine or engaging in taking fish in a set net shall return to the water all fish under and above size according to the measure or weight herein established, and all other fish except sharks, gars, rays, turtle and terrapin, saw fish and cat fish ex-

cept the gulf-topsoil cat, which may be retained, and any person not returning such fish to the water as required by this article, shall be deemed guilty of a misdemeanor, and on conviction shall be fined in a sum of not less than fifty and no more than one hundred dollars.

Art. 63. Whenever a net described or mentioned in this law as a trammel, strike, gill, hoop, pound, purse or other kind of a net, the standard net of such variety or kind or the usual or ordinary kind of such net as manufactured and sold as in or to the trade is meant. No strike or gill net shall be licensed or permitted in the tidal coastal or fresh waters of this State with a lead line of over three-sixteenths of an inch in diameter. And any person using or having in his possession any gill or strike net which has on it a lead line of more than three-sixteenths of an inch in diameter, shall be deemed guilty of a misdemeanor, and on conviction shall be fined not less than twenty-five and no more than one hundred dollars.

Art. 64. It shall be unlawful for any person to catch any fish in the public fresh waters of this State with any seine or net other than a minnow seine, not exceeding twenty feet in length, or to drag any seine, except such specified minnow seine, or to set any net, in the public fresh waters of this State during the months of March and April, or to fish with any artificial bait or line of any kind in the fresh public waters of this State during the months of March and April. And any person who shall catch any fish with a seine or net in the public fresh waters of this State or who shall drag or set any net for the purpose of catching fish in the fresh public waters of this State, or shall use an artificial bait or line in fishing in such public fresh waters in this State during the months of March and April, shall be deemed guilty of a misdemeanor, and on conviction shall be fined in a sum of not less than twenty-five dollars, and not more than one hundred dollars. Provided, that where a city, town or other municipality owns any reservoir, lake or other pool of water, it shall exercise all control over it in regard to the taking of fish from it and this Article shall not apply to such waters as mentioned.

Art. 65. Any person who shall take or catch from the public waters of this State or have in his possession any bass of less length than eleven inches or any white perch or crappie of less length than seven inches, shall be deemed guilty of a misdemeanor, and on conviction shall be fined in a sum of not less than ten nor more than one hundred dollars.

Art. 66. In all prosecutions for the sale of fish of unlawful size, the place of such sale is hereby established for the purpose of venue to be either at the place of such shipment or at the place of the receipt of such shipment or in any county through which such shipment may pass at the discretion of the State.

Art. 67. Out of the Fish and Oyster Fund all deputy fish and oyster commissioners shall be paid their salaries and expenses monthly on the approval of the Game, Fish and Oyster Commissioner; the Comptroller drawing his warrant in favor of each of said persons on said special fish and oyster fund as follows: Chief Deputy fifty dollars per month; deputies on boats one hundred dollars per month; mates on boats seventy-five dollars per month; shore or interior deputies sixty dollars per month; first deputy at Caddo Lake one hundred dollars per month; assistant deputy at Caddo Lake seventy-five dollars per month; deputy at Medina Lake one hundred dollars per month; deputy at Galveston one hundred dollars per month; shore deputy at Houston one hundred and thirty-five dollars a month; deputy at fish hatchery one hundred and twenty-five dollars per month. Three workmen at the hatchery at sixty dollars each, per month. It shall be the duty of the Game, Fish and Oyster Commissioner to collect all taxes, licenses and fines as imposed by law, and to enforce their payment, to inspect all products so taxed, and to verify the weights and measures thereof, to collect all license fees, to collect all rents on locations for planting oysters, to examine, or have examined, all streams, lakes, or ponds, when requested so to do, for the purpose of stocking such waters with fish, best suited to such locations and he shall superintend and have control in the propagation of fish in the State hatchery and the distribution of such

fish, and he shall have superintendent and control of the propagation and distribution of birds and game in the State reservations over which he may have control, or which may be established for such propagation. He shall also be allowed a sum not to exceed fifteen hundred dollars per annum for office rent, traveling and other expenses, to be paid on vouchers approved by the Governor, showing that such amounts have actually been expended in the performance of his duties of said office, and he shall be allowed all stationery, books, blanks, tags, State laws and charts necessary to the execution of the duties of his office.

Article 68. The Game, Fish and Oyster Commissioner shall keep an account with each and every person, firm or corporation holding certificates for the location of private oyster beds in this State, showing the amounts received as rents, etc.

Article 69. The Game, Fish and Oyster Commissioner shall make on the thirty-first day of August of each year, or as soon thereafter as practical, not later than October 1st, of each year, a report to the Governor, showing the conditions of the fish and oyster industry. The report shall show the special taxes collected, the number and class of all boats engaged in the fish and oyster trade, the number of licenses issued and license fees collected, the number, place and acreage of private oyster beds and rents received therefor, and all other amounts collected from whatever source, and the disbursements therefor, as provided for in this chapter with such observations and remarks as pertain to the industry. The report shall also contain a statement of all stock furnished, to whom furnished, the cost of same, the streams, lakes or ponds stocked, the number and kind of fish used in each, and the condition of such plants, with any other data he may obtain on the subjects. The Governor shall order a sufficient number of copies of such report to be printed and filed in the Secretary of State's office for the purpose of free distribution to parties interested therein. Failure to make such report within the time specified, the said Commissioner may, in the discretion of the Governor, be dismissed from his office.

Art. 70. The Commissioner shall be responsible, on his bond, for the official acts of his deputies.

Art. 71. The Game, Fish and Oyster Commission shall keep a record book, which shall be well bound, and in which shall be recorded all special taxes collected, all licenses issued and license fees collected, all certificates issued for locations of private oyster beds, showing the date of certificate and application, when and how the applications were executed and the manner in which the bottoms were examined and rents collected for such locations, showing also all stock fish furnished, to whom furnished, and the cost of same, the streams, lakes or ponds stocked, number and kinds of fish used in each and showing all collections, and disbursements in and from his office.

The Game, Fish and Oyster Commissioner is authorized to appoint deputies for each of the vessels owned by the State and employed in the Fish and Oyster Department. Such boat deputies shall have and exercise the same powers and duties as the Game, Fish and Oyster Commissioner and execute a good and sufficient bond, with two or more sureties, that such deputies shall at all time be subject to the orders of the Game, Fish and Oyster Commissioner.

The Game, Fish and Oyster Commissioner is authorized to appoint such other shore and interior deputies as he may deem necessary for the enforcement of the law. And such shore deputies and interior deputies shall have and exercise the same powers and duties as the Game Fish and Oyster Commissioner in the enforcement of the game, fish and oyster laws, and be at all times subject to his orders.

No person shall hold the office of deputy fish and oyster commissioner who is not a citizen of the United States and of the State of Texas. All deputies shall hold their office at the pleasure of the Game, Fish and Oyster Commissioner.

Article 72. Before entering upon the duties of his office each deputy fish and oyster commissioner shall file with the Fish and Oyster Commissioner a good and sufficient bond, with two or more sureties, in the sum of one thousand dollars, and take the same oath of office as the Game, Fish and Oyster Commissioner, and said

bond and oath shall be governed by the provisions of Article 4.

Article 73. Each deputy fish and oyster commissioner shall be ex-officio game commissioner, and shall exercise the duties and powers of game commissioner under the direction of the Game, Fish and Oyster Commissioner.

Art. 74. All deputy fish, and oyster commissioners shall make a monthly report to the Game, Fish and Oyster Commissioner of all funds collected by them, remitting along with said report all sums of money collected by them during the said month.

Art. 75. It shall be unlawful for any person, firm or corporation to take from the public waters of this State for sale, any mussels, clams or naiad or shells thereof without first obtaining a license from the Game, Fish and Oyster Commissioner; said license shall be in such form as may be determined by the said Commissioner but shall state the waters in which the license may operate. The applicant shall pay to the said Commissioner, as a license fee, the sum of ten dollars and in addition thereto the sum of twenty-five dollars for permission to use a dredge. Said license shall expire one year from the date of issuance. Any person violating any of the provisions of this Article shall, upon conviction, be fined not less than ten dollars nor more than one hundred dollars.

Art. 76. It shall be lawful for the Game, Fish and Oyster Commissioner of the State and his deputies or the United States Commissioner of Fisheries and his duly authorized agents, to take at any time and in any manner from the public fresh waters of this State all brood fish required by them in operation of the State and Federal hatcheries.

Art. 76a. If any section of this bill shall be held unconstitutional it shall not affect any other section of this bill, and all sections save the one that may be declared unconstitutional shall continue to be in full force and effect.

Art. 77. This Act shall be construed to be a continuation of all former Acts upon the subject, and any and all suits instituted under any former Act shall not abate, but prosecutions thereof shall continue under

the provisions of such former Acts or under this Act.

Art. 78. The fact that the present laws upon the subject are insufficient to adequately protect the subject matter of this bill and the further fact that the near approach of the end of the present session of the Legislature create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be and the same is hereby suspended and that this Act take effect and be in force from and after its passage, and it is so enacted.

Committee Room,
Austin, Texas, July 22, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 157, copy of which is hereto attached, and find it correctly enrolled, and have this day at 9:15 o'clock, p. m., presented same to the Governor for his approval.

SMITH, Chairman.

By Strickland and S. B. No. 157.
Buchanan of Scurry.

A BILL To be Entitled

An Act to create a Board of Examiners of Land Surveyors that shall serve without pay; prescribing their duties and the subjects in which applicants for land surveyors license shall be examined; providing for the issuance of land surveyors license; providing for the revocation of land surveyors license for certain causes and allowing appeals therefrom; providing for the bonding of licensed surveyors; prescribing their duties and fixing their jurisdiction; fixing a maximum compensation, prohibiting such land surveyors from purchasing or being interested in the purchase or acquisition of any public land either directly or indirectly; prescribing a penalty for violations of this Act; excepting persons and surveyors surveying by private contract or by order of court, repealing all laws in conflict herewith and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. A Board of Examiners of Land Surveyors is hereby created to be composed of the Commissioner of the General Land Office and two reputable land surveyors, to be appointed by the Governor, who have had not less than fifteen years practical and active experience in the field as land surveyors. The first two surveyors so appointed shall receive a license from the said Board without examination and shall hold their membership on such board at the pleasure of the appointing authority.

Sec. 2. Within sixty days after the taking effect of this Act the Board shall organize by electing a chairman and a secretary-treasurer. Two members shall constitute a quorum for the transaction of business and a concurrence of two members shall be necessary for the adoption or rejection of any question.

Sec. 3. The Board shall prepare in writing questions upon the theory of surveying, practical surveying, theory and use of surveyor's instruments, calculation of areas, closing of field notes, the law of land boundaries and touching such other matters pertaining to surveying as the Board may deem important. No one shall either directly or indirectly make known to any applicant for surveyors license the questions upon which such examination shall be given prior to the commencement of the examination. When the questions shall have been prepared by the Board they shall be forwarded to the custodian of questions for teachers certificates in each county under proper enclosures with suitable words on the enclosure indicating the contents. The questions shall be held unopened by such custodian and opened only in the presence of such applicants for surveyors license as may present themselves for examination at the same time and place as may be required of applicants for teachers certificates. Each applicant shall deposit the sum of ten dollars with the authority that may be authorized to receive such fees from applicants for teachers certificates. When such sum shall have been deposited the authority conducting the examination for teachers certificates shall likewise conduct the examination for land surveyors license in the same manner as for that for

teachers certificates. When such applicants shall have returned the questions and answers to the source from which they were received, the authority receiving them shall return both questions and answers to the chairman of the Board of Examiners of Surveyors, together with eight dollars of the ten dollars deposited by each applicant, and retain two dollars which two dollars shall be disposed of as are the fees paid by applicants for teachers certificates. The sum received by the Board, or so much thereof as may be necessary, may be used to defray the actual expense incurred by said Board in the execution of this Act and the remainder shall be deposited annually into the State Treasury; provided that no appropriation shall ever be made to defray the expenses of said Board or to carry into effect any of the provisions of this Act.

Sec. 4. When the questions and answers shall have been received by the Chairman of the Board as aforesaid, he shall either convene the Board for the purpose of passing upon the answers made to the questions and the issuance of the license or the refusal to so issue the license; or the said chairman may transmit the questions and answers to the other members for their consideration and action as herein contemplated. All questions and answers made thereon with the action of the Board shall be deposited in the General Land Office and there safely kept not less than one year. Should a license be refused an applicant such applicant may take any subsequent examination under the same conditions as in the first instance. Every applicant who successfully passes the examination shall receive from said Board a land surveyors' license attested by the seal of the Board and shall be valid for life unless sooner revoked by the Board for any of the following causes; to-wit: the holder declared by any court to have committed a felony, theft or fraud, to be insane or incompetent; found by the Board to have unlawfully given information concerning any undisclosed public land; found to have been directly or indirectly interested in the purchase or in the acquisition of the title to any public land; found guilty of any act or default discreditable to the surveying pro-

fession. Before any license shall be revoked the holder thereof shall be advised by written notice from the Board being mailed to him at his last known address at least thirty days before the date fixed for hearing any charge against him, stating the charge, and the time and place for such hearing. Should the Board find the charge sustained by the facts the license of such surveyor shall be revoked. The facts adduced at such hearing shall be reduced to writing. The surveyor whose license shall have been revoked may appeal from such revocation to the district court of any county. Upon such appeal the court shall admit in evidence the written record of the Board, together with such other evidence as may be offered on either side in accordance with the rules of evidence in district courts. After a revocation of a surveyors' license such surveyor shall not perform the duties of a licensed surveyor unless such license shall have been restored; provided, that applicants, who are reputable land surveyors of fifteen years of actual experience in the field as such land surveyors, shall receive a license with the exemption when they shall have filed with said Board the affidavits of three credible persons to the effect that applicant is a reputable land surveyor of fifteen years of actual experience in the field as such and upon the payment of a fee of Two (\$2.00) Dollars to the said Board.

Sec. 5. Before one who receives a land surveyors' license shall be authorized to perform the duties of a land surveyor, he shall take the oath of office prescribed by the constitution, and shall make a good and sufficient bond in the sum of one thousand dollars, payable to the Governor and his successors in office, conditioned that he will faithfully, impartially and honestly perform all the duties of a surveyor to the best of his skill and ability in all matters wherein he may be employed. The said bond shall not be void upon first recovery nor until the whole may be exhausted. The said oath and bond shall be recorded in the office of the county clerk of the county in which the licensee resides, and after being so recorded the said bond and oath of office shall be filed in the General Land Office, accompanied with one dollar as filing fee

and thereupon the licensee shall be authorized to enter upon the discharge of the duties of a land surveyor. The other records and books of the Board relating to the execution of this Act shall be deposited in the General Land Office for safe keeping when not in use by the Board.

Sec. 6. Land surveyors, licensed and otherwise qualified as provided in this Act, are hereby authorized to perform the duties that are now or may hereafter be required of county surveyors and shall be subject to the direction of the Governor, Commissioner of the General Land Office, the Attorney General, and the courts of the State in the matter of land surveying in such cases as may come under the jurisdiction of said authorities. Their jurisdiction shall be co-extensive with the limits of the State. They may be elected county surveyor of the county in which they reside and if so elected shall qualify as provided by law for county surveyors, but such election for any particular county shall not limit the jurisdiction of said surveyor to such county, nor shall the election of a county surveyor for any particular county prevent any other licensed surveyor from performing the duties of a surveyor in such county. Every field note made by one licensed under this Act shall be signed by the surveyor and followed by the designation "Licensed Land Surveyor."

Sec. 7. The field notes of every survey made by a licensed land surveyor shall in every respect conform to the requirements that are now or may hereafter be required for field notes and every survey made shall be recorded in the county surveyor's records of the proper county, and for the purpose of such record and for all other purposes licensed surveyors shall have free and unrestrained access to the county surveyor's records therein. The field notes of all surveys and plats of same made by any licensed land surveyor affecting the lines, boundaries and areas of unpatented land shall be forwarded to the General Land Office. If a licensed land surveyor should discover an undisclosed tract of public land, he shall not make known that fact to any one except such person or persons as may it enclosed, but he shall forward to the General Land Office a report of the exist-

ence of such tract and the acreage therein, and its probable value.

Sec. 8. A licensed land surveyor shall receive as compensation for his services not to exceed ten dollars per day and other expenses incident to the survey shall be agreed upon between the surveyor and the interested party, whether that is a private person, a county, a court, or the State. All field notes made by a licensed land surveyor in whatsoever county shall have the same force and effect and be admissible in evidence the same as field notes heretofore made by county surveyors and their deputies.

Sec. 9. A surveyor who does not hold a license under this Act may nevertheless be elected to the office of county surveyor and perform the duties of that office and one who does not hold such license may be appointed deputy county surveyor and perform the duties of that office and they shall receive such compensation for their services as licensed State land surveyors; and nothing herein contained shall be construed to prevent any surveyor or person to survey for another by private contract and the criminal penalties contained herein shall not apply to such surveyor or person surveying for another by private contract, nor to any surveyor surveying lands by order of court.

Sec. 10. Surveyors qualified under this Act and county surveyors may make a certificate of any fact shown by the books, documents and records of any county surveyor's office and may make a certified copy of any book, document or record or entry therein shown by the record of said office, and said certificate and certified copy shall be admissible in evidence as to what said records may disclose, and for such service the surveyor may charge a fee of one dollar for each certificate and thirty-five cents for each one hundred words contained in any certified copy; provided, when a county has a county surveyor such surveyor alone shall be authorized to make certificates and certified copies and receive the fees thereof.

Sec. 11. Licensed land surveyors under the provisions of this Chapter shall procure a seal of offices similar to that of a notary public, with this exception, around the margin shall be

the words "Licensed State Land Surveyor" and between the points of the star in the said seal shall be the words "Texas," with which seal he shall authenticate all certificates and other official acts issued under the provisions of this chapter and no certificate or other instrument issued by such land surveyor shall be admitted in evidence, or have any legal effect, unless, such seal is impressed thereon.

Sec. 12. One who violates any provision of this Act shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum not to exceed one thousand dollars.

Sec. 13. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Sec. 14. The importance of the legislation proposed creates an emergency and an imperative public necessity exists that the constitutional rule requiring bills to be read on three separate days in each house be suspended and that this be placed upon third reading and final passage and that it shall take effect from and after its passage and it is so enacted.

Committee Room,
Austin, Texas, July 22, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 126, copy of which is hereto attached, and find it correctly enrolled, and have this day at 9:15 o'clock p. m. presented the same to the Governor for his approval.

SMITH, Chariman.

By Dudley.

S. B. No. 126.

A BILL To Be Entitled

An Act to provide for the Live Stock Sanitary Commission of Texas or its authorized representatives to sell the hides of any predatory animals killed under the authority of Chapter 107, of the Acts of the Regular Session of the Thirty-sixth Legislature, and remit such funds to the State Treasurer, and such funds be set apart to be drawn and used by the Live Stock Sanitary Commission for the further eradication of predatory animals

under authority of said Chapter 107; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That the Live Stock Sanitary Commission of Texas or its authorized representatives are hereby authorized to sell at the best prevailing market prices hides of all predatory animals that may be killed under the authority of Chapter 107 of the Acts of the Regular Session of the Thirty-sixth Legislature.

Sec. 2. All sums of money received by any representatives of the Live Stock Sanitary Commission for the sale of such hides as provided for in Section 1 hereof, shall be remitted at once to the Live Stock Sanitary Commission by said representative.

Sec. 3. All moneys received by the State Treasurer from the Live Stock Sanitary Commission as provided for by this Act shall be credited by the State Treasurer to the credit of the Live Stock Sanitary Commission of Texas and set apart to be used by the Live Stock Sanitary Commission in the further eradication of predatory animals as provided for in Chapter 107 of the Acts of the Regular Session of the Thirty-sixth Legislature, and such funds shall be drawn from the State Treasury by the Live Stock Sanitary Commission for said purposes at any time after such funds are deposited and it may be drawn by the Live Stock Sanitary Commission in any amounts for said purposes not to exceed the amount on deposit. Such fund is in addition to any appropriation made or that may be made by the Legislature for eradicating predatory animals.

Sec. 4. The fact that this is a Called Session of the Legislature and the fact that there is no provision for the Live Stock Sanitary Commission to sell the hides of predatory animals killed under authority of said Chapter 107 of the Acts of the Regular Session of the Thirty-sixth Legislature and deposit and use such funds for the further eradication of predatory animals creates an emergency and an imperative public necessity exists which requires that the constitutional rule providing that bills shall be read on three several days be suspended, and said bill is hereby suspended, and that this Act

take effect and be in force from and after its passage, and it is so enacted.

Committee Room,
Austin, Texas, July 22, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 164, copy of which is hereto attached, and find it correctly enrolled, and have this day at 9:15 o'clock p. m., presented the same to the Governor for his approval.

SMITH, Chairman.

By Caldwell.

S. B. No. 164.

A BILL To Be Entitled

An Act making appropriation of the sum of fifteen thousand (\$15,000) dollars or as much thereof as may be necessary to pay the contingent expenses of the Regular Session of the Thirty-sixth Legislature of the State of Texas, providing how accounts may be approved and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That the sum of fifteen thousand (\$15,000) dollars or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury not otherwise appropriated to pay the contingent expenses of the Regular Session of the Thirty-sixth Legislature of the State of Texas.

Sec. 2. The approval of the chairman of the Committee on contingent expenses of the Senate, approved by the president of the Senate, or by Chairman of the Committee on contingent expenses of the House of Representatives, approved by the Speaker of the House, as case may be, shall be sufficient authority for the Comptroller to issue warrants upon the State Treasurer for the payment of accounts drawn upon said fund.

Sec. 3. The public importance of the purpose herein contemplated creates an emergency and an imperative public necessity requiring bills to be read upon three several days in each house, and the said rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Committee Room,
Austin, Texas, July 22, 1919.

Hon. W. A. Johnson, President of
the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 92, copy of which is hereto attached, and find it correctly enrolled, and have this day at 9:15 o'clock p. m., presented the same to the Governor for his approval.

SMITH, Chairman.

By Witt.

S. B. No. 92.

A BILL
To Be Entitled

An Act to amend Sections 14, 17, 19, 21, 22, 25, 28, 31, 35 and 40, Chapter 157 of the General Laws of the Thirty-sixth Legislature, passed at the Regular Session thereof, being 'An Act to preserve, propagate, distribute and protect the wild game, wild birds, wild fowl of the State, to provide adequate penalties for the unlawful taking, slaughter, storage, sale, purchase or shipment thereof, to provide for the appointment of deputy game commissioners and fixing their salaries; to define the duties and powers of the Game, Fish and Oyster Commissioner and his deputies; to fix the venue of prosecution under this Act; to provide for the issuance of hunting licenses and prescribing penalties for hunting without license; to declare that certain moneys shall belong to Special Game Fund of this State and the disposition to be made of said moneys, and to repeal all laws in conflict herewith; and declaring an emergency,' correcting certain grammatical and typographical errors in said sections and by adding thereto Sections 31a, 31b; providing a closed season on wild female deer and spotted fawns and fixing a limit of three buck deer to be killed during one season by any one person and fixing penalties therefor; providing the manner of transporting lawfully killed deer and fixing penalties for unlawful shipment of deer; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Sections 14, 17, 19, 21, 22, 25, 28, 31, 35 and 40, Chapter 157 of the Acts of the Reg-

ular Session of the Thirty-sixth Legislature are hereby amended so that they shall hereafter read, as follows:

Section 14. It shall be unlawful to bring into this State for any purpose whatever, during the closed season, either alive or dead, any kind of wild game birds or fowl, or quadrupeds enumerated in this Act, or to bring into this State for sale or exchange or barter or shipment for sale any such birds or quadrupeds or fowl during the open season as set out in this Act, except as provided in Section 39 of this Act. Any person bringing such game, birds or fowls or quadrupeds into the State during the closed season or bring such game birds or fowl or other quadruped for sale or barter or shipment for sale during the open season, shall be deemed guilty of a misdemeanor, and on conviction shall be fined a sum not less than ten dollars (\$10.00) nor more than two hundred dollars (\$200.00). The bringing in of such game birds or fowl or animal or quadruped herein interdicted is hereby declared to be a separate offense.

Section 17. It shall be unlawful for any person to destroy or take the eggs of any bird which is protected against being killed or taken by this statute, except as provided in Section 39 of this Act, and any person destroying or taking such eggs shall be deemed guilty of a misdemeanor, and on conviction shall be fined not less than ten dollars (\$10.00) nor less than one hundred dollars (\$100.00).

Section 19. It shall be unlawful for any person to hire or employ any other person by the payment of money or any other thing of value or any promise of the payment of money or any other thing of value, or to receive money or any other thing of value to hunt for any other person. And any person so hiring or employing any other person to hunt any wild birds mentioned in Section 2, and wild animals mentioned in Section 29 of this Act, for himself, or any person receiving any money or any other thing of value or the promise of money or other thing of value to hunt shall be deemed guilty of a misdemeanor and on conviction shall be fined in a sum of not less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100.00). Provided that if any person who has re-

ceived money or other thing of value to hunt or a promise of money or other thing of value to hunt, shall testify against the person or persons employing him by the payment or the promise of payment of money or other thing of value to hunt, all prosecutions against him in the case in which he testifies shall be dismissed.

Section 21. Nothing in this Act shall be construed to prohibit the carrying, transportation or shipment of any of the game, birds, or wild fowl mentioned in Section 1 of this Act, when lawfully taken or killed, from the place of shipment to the home of the person who killed the same; providing further, that the person desiring to ship or transport said game, birds, or fowl shall first make the following affidavit in writing before some officers authorized by law to administer oaths and deliver same to said railroad or common carrier, or to the agent of said railroad or common carrier, at the point of shipment, and upon filing the affidavit, such party shall be permitted to transport or transmit to his home any wild game, birds, when such number is permitted to be killed of the kind offered for shipment.

State of Texas,)
County of)

Before me, the undersigned authority personally appeared.....
.....who, after being duly sworn, upon oath says:

I live at.....in the county of.....in the State of; that I have personally killed.....which I desire to ship from.....in County, to my home, which game I killed for my own use and not for sale and same shall not be bartered or sold; that I have not killed more than the bag limit as provided by law of any wild game or wild birds, during the present hunting season.

Sworn to and subscribed to before me this.....day of.....191....

Sec 22. The list thus prepared by the affiant shall be attached to the shipment, and shall not be removed during the period of transportation. If such game shipped is carried by the person killing it, it shall not be

necessary to attach the list as herein before provided. Any person who so ships any game from the County in which it is killed without making the foregoing affidavit, or any agent of transportation line or agent of any express company, who receives such shipment without it is accompanied by such affidavit and list attached, or any auditor or conductor or other person in charge of any railroad train or transportation line, who knowingly permits any person to carry any game, birds or game fowl or game wild animals or quadrupeds, without such affidavit is made, as hereinbefore provided, shall be punished by a fine of not less than ten dollars (\$10.00) nor more than one hundred dollars. And all express agents and all conductors and auditors of trains and all captains of boats licensed under Section 28 of this Act are hereby empowered to administer oaths necessary to the shipment of game, and for administering such oaths, they are hereby authorized to collect twenty-five cents from the persons making such oaths. It shall not be unlawful to ship or bring any wild game animals or wild birds from the Republic of Mexico to the State at any season and in any quantities, provided that the party bringing the same into the State shall procure from the Game, Fish and Oyster Commissioner or one of his deputies, a permit to bring same into the State and shall procure from the U. S. Custom Officer at the port of entry a certificate showing that such game taken or killed in the Republic of Mexico.

Sec. 25. It shall be unlawful to take or destroy any nest or eggs of any wild bird or fowl mentioned in this Act as a game wild bird or wild fowl except as provided for in Section 39 of this Act, and any person taking or destroying a nest of eggs of such wild birds shall be deemed guilty of a misdemeanor and on conviction shall be fined in a sum of not less than ten nor more than one hundred dollars.

Sec. 28. It is hereby declared unlawful for any person owning or navigating any sail or power boat to receive on board of such boat for pay or hire any persons engaged in hunting, before such persons navigating or owning such boat shall have applied for and received a license from

the Game, Fish and Oyster Commissioner granting him the right to receive and carry parties engaged in hunting for one year. Before such license is issued, the person applying for it shall pay to the Commissioner two (\$2.00) dollars and shall file with such Commissioner the name of his vessel, her motive power, the power of her engine or motors, her accommodations, for passengers, the number of her crew, the price to be charged per diem for the hire of such boat and shall file with the Game, Fish and Oyster Commissioner an affidavit that he will not violate any of the provisions of this Act. And will endeavor to prevent any one whom he carried on his boat from violating any of the provisions of this Act, and that he will not carry on his boat any hunter without his hunting license, and that on his return from carrying out any hunting party he will file with said Commissioner a statement embracing the names of those he carried out, their residences, the number of game killed by each of them on each day, and the disposition of such game. It shall be the duty of the Game, Fish and Oyster Commissioner if he grants the license, to furnish the person licensed with a condensed statement of birds or fowl, or animals which can be killed, together with the statement of the open and closed seasons, which the owner of such license shall post in the cabin of his boat, or in or on some other prominent part of his boat for the whole time of his license. The Game, Fish and Oyster Commissioner is empowered to enforce the provisions of this Section by the cancellation of the license without a refund or return of the license tax paid, and no license shall be renewed or issued him thereafter whenever any boat owner or navigator refuses or fails to comply with the provisions of this Section. Any person who carries out any hunting parties for reward or hire of any kind without procuring his license as provided for in this Act shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than ten (\$10.00) dollars nor more than two hundred (\$200.00) dollars.

Section 31-a. It shall be unlawful for any person to kill more than three buck deer in any one season,

said season being November and December of each year, and any person killing more than that number shall be deemed guilty of a misdemeanor and on conviction shall be fined not less than ten (\$10.00) dollars nor more than one hundred (\$100.00) dollars. It shall be unlawful for any person at any season of the year to kill, take, trap or ensnare any wild female deer, or spotted fawn within this State, and any person violating the provisions of this Article shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than ten (\$10.00) dollars nor more than one hundred (\$100.00) dollars.

Section 31-b. It shall be unlawful to ship any deer or any part thereof by common carrier without the person shipping it shall make the affidavit prescribed in Section 21 of this Act, and any person shipping or receiving for shipment as the agent of any transportation company, any deer or any part thereof, shall be deemed guilty of a misdemeanor and upon conviction shall be fined in a sum of not less than ten (\$10.00) dollars nor more than one hundred (\$100.00) dollars, and any transportation company carrying such deer or any part thereof without the affidavit set forth in Section 21, or the owner of any boat or vessel or the incorporation owning any such vessel, or boat transporting such deer or any part thereof, shall on conviction be fined not less than one hundred (\$100.00) dollars, nor more than eight hundred (\$800.00) dollars. And to recover this penalty the Game Fish and Oyster Commissioner is required, through any county or district attorney or the Attorney General to bring suit against such transportation company, owner of the boat, or the incorporation or firm owning such boat or the recovery of same. And the venue for the trial shall be either in any county of this State in which the transportation company operated or in Travis county Texas.

Section 35. At no time shall any warrant be issued or payment made for the enforcement of the Game Laws, employment of Deputy Game Commissioner or the furnishing of means to enforce such laws, or for the conservation or propagation of game of any kind, except on and from the special game fund herein pro-

vided for, and if at the end of each year there remains an unexpended balance in such fund the Game, Fish and Oyster Commissioner is required to expend such sums of such balance in the introduction, propagation and distribution in the State of wild game birds and wild game animals and quadrupeds, and in the collection of dressed and mounted specimen of the wild birds and wild animals of Texas.

Sec. 40. It shall be the duty of the Game, Fish and Oyster Commissioner to appoint Special Game Commissioners who shall be ex-officio Deputy Game, Fish and Oyster Commissioners with all the powers of the latter to enforce the Game, Fish and Oyster Laws of this State. Such special game commissioners shall receive not more than one hundred twenty-five (\$125.00) dollars per month, and expenses, each to be paid out of the Special Game Funds on approval of the Game, Fish and Oyster Commissioner. Each deputy commissioner shall take the oath of office and shall give a good and sufficient bond in the sum of one thousand (\$1,000.00) dollars, for the faithful performance of his duties. Such Special Deputy Game Commissioner shall hold their office at the discretion of the Game, Fish and Oyster Commissioner and have all the power in the discharge of their duties as are conferred on the Game, Fish and Oyster Commissioner.

Sec. 2. The fact that a great many deer are now being killed and that there is no adequate law to prohibit the killing of same creates an emergency, and an imperative public necessity exists that the Constitutional rule requiring bills to be read on three separate days in each house, shall be suspended and that this bill be placed upon its third reading and final passage, and take effect from and after its passage, and it is so enacted.

Committee Room,

Austin, Texas, June 22, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 61, copy of which is hereto attached and find it correctly enrolled, and have this day at 9:15 o'clock, p. m., presented the

same to the Governor for his approval.

SMITH, Chairman.

By Suiter.

S. B. No. 61.

A BILL
To be Entitled

An Act to amend Article 2909-(f), Title 48, Chapter 20, of the Revised Civil Statutes of the State of Texas, so as to provide that any text-book contractor shall make a bond of twenty thousand dollars (\$20,000.00) for each basal text-book adopted, and three thousand dollars (\$3,000.00) for each supplementary text-book adopted; providing that the contract and bond shall be prepared by the Attorney General, payable in Travis County; providing that the bond may be sued upon from time to time; providing that the text-book commission, may, upon twenty days' notice, require a new bond to be given; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 2909-(f), Title 48, Chapter 20, of the Revised Civil Statutes be amended so as to hereafter read as follows:

Sec. 1. The bidder to whom any contract may have been awarded, shall execute a good and sufficient bond payable to the State of Texas, in the sum of not less than twenty thousand dollars (\$20,000.00), for each basal book adopted under the provisions of this Act; and a good and sufficient bond payable to the State of Texas in the sum of not less than three thousand dollars (\$3,000.00), for each supplementary text-book adopted under the provisions of this Act; provided further, that the Commission is hereby given authority to require bond in such further and additional sums as it may deem advisable, said bond to be approved by the Commission; such bond to be conditioned that the contractor shall faithfully perform all the conditions of the contract; the contract and bond shall be prepared by the Attorney General, and be payable in Travis County, Texas, and shall be deposited in the office of the Secretary of State. The bond shall not be exhausted by a single recovery thereon, but may be sued upon from time to

time, until the full amount thereof is recovered; and the Texas State Text-book Commission, may, at any time, on twenty days' notice, require a new bonds to be given, and the event the contractor shall fail to furnish such new bond, the contract of such contractor, may, at the option of the Texas State Text-book Commission, be forfeited.

Sec 2. The fact that the book companies selling supplemental text books are required to file a \$20,000 bond before selling same and the sale of same being so small that companies do not bid on supplemental texts because of said large bond, creates an emergency and the public necessity requiring that the constitutional rules requiring bills to be read on three separate days be suspended and the same are hereby suspended and this Act shall take effect from and after its passage and it is so enacted.

Committee Room,
Austin, Texas, June 22, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 91, copy of which is hereto attached, and find it correctly enrolled, and have this day at 9:15 o'clock, p. m., presented the same to the Governor for his approval.

SMITH, Chairman.

By Gibson by request. S. B. No. 91.

A BILL To be Entitled

An Act to amend Article 6292 of the Revised Civil Statutes of the State of Texas of 1911, providing that the Board of Pharmacy shall be entitled to charge and collect the following fees: For the examination of an applicant for license as a pharmacist, five (\$5.00) dollars; for the examination of an applicant for license as an assistant pharmacist, two dollars and fifty cents (\$2.50). Every registered pharmacist and every assistant pharmacist, who desires to continue in the pursuit of pharmacy in this State is required annually, after the expiration of the first year of registration and on or before the first day of January

of each year, to pay to the Secretary of the Board of Pharmacy a renewal fee to be fixed by the board, which shall not exceed three (\$3.00) dollars, in return for which a renewal of registration shall be issued; providing further that the State Board of Pharmacists shall each year turn over to the State Pharmaceutical Association for the advancement of the science and art of pharmacy out of the annual fees collected by it, such sum as it may deem advisable, but not to exceed two dollars for each pharmacist who shall have paid his renewal fee during said year; said Act providing that said association shall annually report to said board on the condition of pharmacy in the State, and providing that all fees for examination shall be paid in advance of such examination, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 6292 of the Revised Civil Statutes of the State of Texas of 1911 be so amended that said Article shall hereafter read as follows:

Article 6292. The Board of Pharmacy shall be entitled to charge and collect the following fees:

For the examination of an applicant for license as a pharmacist, five dollars; for the examination of an applicant for license as an assistant pharmacist, two dollars and fifty cents.

Every registered pharmacist and every registered assistant pharmacist in the meaning of this Article, who desire to continue in the pursuit of pharmacy in this State shall annually, after the expiration of the first year of registration and on or before the first day of January of each year, pay to the Secretary of the Board of Pharmacy a renewal fee to be fixed by the Board which shall not exceed three dollars in return for which a renewal of registration shall be issued; providing further that the said Board of Pharmacy shall each year turn over to the State Pharmaceutical Association for the advancement of the science and arts of pharmacy out of the annual fees collected by it, such sum as it may deem advisable, not to exceed two dollars for

each pharmacist and assistant pharmacist who shall have paid his renewal fee during such year, providing that those holding a certificate of pharmacy and not engaged in the active practice of pharmacy, shall be issued a renewal certificate upon payment of an annual fee of one dollars (\$1.00). Said Association shall report annually to said Board on the condition of pharmacy in the State.

Sec. 2. The fact that the law as it now exists does not provide for adequate registration and renewal fees for pharmacists to the great detriment of the advancement of the science and art of pharmacy creates an emergency and an imperative public necessity for the suspension of the constitutional rule, requiring bills to be read on three several days, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage and it is so enacted.

Committee Room,
Austin, Texas, July 22, 1919.

Hon. W. A. Johnson, President of
the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 48, copy of which is hereto attached, and find it correctly enrolled, and have this day at 9:15 o'clock p. m., presented same to the Governor for his approval.

SMITH, Chairman.

By Caldwell.

S. B. No. 48.

A BILL
To Be Entitled

An Act to amend Article 1202 of the Code of Criminal procedure of the State of Texas of 1911, as amended by Section 8, Chapter 112 of the Acts of the Regular Session of the Thirty-third Legislature, approved April 2nd, 1913, and as amended by Chapter 91 of the Acts of the Regular Session of the Thirty-sixth Legislature, so as to fix the salaries of probation officers in this State, and to re-enact said Article as amended by said Section 8, of Chapter 112 of the Acts of the Regular Session of the Thirty-third Legislature, and declaring an emergency.

Be it enacted by the Legislature of
the State of Texas:

Section 1. That Article 1202 of

the Code of Criminal Procedure of the State of Texas, of 1911, as amended by Section 8 of Chapter 112 of the Acts of the Thirty-third Legislature and as amended by Chapter 91 of the Acts of the Regular Session of the Thirty-sixth Legislature, be amended so as to hereafter read as follows:

"Article 1202. The County Courts of the several counties of this State shall have authority to appoint any number of discreet persons of good moral character to serve as probation officers during the pleasure of said court, said probation officers to receive no compensation from the county treasury except as herein provided. It shall be the duty of the clerk of the court, if practicable, to notify the said probation officers when any child is to be brought before the court; it shall be the duty of such probation officer to make investigation of such case; to be present in court to represent the interest of the child when the case is heard; to furnish to such court such information and assistance as the court or judge may require, and to take charge of any child before and after the trial as may be directed by the court. The number of probation officers to receive compensation from the county, named and designated by the county court shall be as follows:

In counties having a population of less than seventy-five thousand, one probation officer may be appointed by the Commissioner Court when in their opinion such officer is needed, who shall receive a compensation of not to exceed twelve hundred dollars per annum, provided that in counties having a population of not less than thirty-five thousand and not more than seventy-five thousand and containing a city of more than twenty-nine thousand population, one probation officer may be appointed by the Commissioners Court when in their opinion the services of such officer is needed, who shall receive a compensation of not to exceed twenty-four hundred dollars per annum. Expenses may be allowed such probation officers by the county in the sum not to exceed two hundred dollars per annum. The County Judge shall select such probation officers from a list of three furnished by a nominating committee composed of three members as follows: The County Superintendent of Public Instruction

and the superintendents or principals of the largest independent school districts in such county.

In counties having a population of more than seventy-five thousand, the county judge shall appoint not fewer than two probation officers from lists furnished him by the nominating committee as provided above. The chief probation officer shall receive a salary of not to exceed twenty four hundred dollars per annum, and necessary expenses not to exceed two hundred dollars per annum. Other probation officers shall receive salaries not to exceed fifteen hundred dollars per year, and all necessary expenses not to exceed two hundred dollars per year.

In the appointment of all probation officers under the provisions of this Act, the county judge may upon the nomination of the committee of three herein above provided for, select for such office and school attendance officer or officers of the county or of school districts in the county that may be provided for in any compulsory school attendance law now in force in this State, or that may hereafter be passed, and the salary and expenses of such joint probation officer or officers and attendance officer or officers shall be paid jointly by the county and school authorities upon any basis of division they may agree upon.

Probation officers receiving a salary or other compensation from the county, provided for by this Act, are hereby vested with all the power and authority of police or sheriffs to make arrests and perform any other duties ordinarily required by policemen and sheriffs which may be incident to their office or necessary or convenient to the performance of their duties; provided that other probation officers may be vested with like power and authority upon a written certificate from the county judge that they are persons of discretion and good character and that it is the desire of the court to vest them with all the power and authority conferred by law upon probation officers receiving compensation from the county.

Salaries or compensation of paid

probation officers permitted by this act shall be fixed by the county commissioners not to exceed the sums herein mentioned, and in any bills for expenses not exceeding the sums herein provided for, shall be certified by the county judge as being necessary in and about the performance of the duties of the probation officer or officers. It shall be the duty of the commissioners court of the county to provide the necessary funds for the payment of salaries and expenses of the probation officers provided for in this Act. The appointment of probation officers as herein designated shall be filed in the office of the clerk of the county court. Probation officers shall take an oath, such as may be required of other county officers, to perform their duties, and file it in the office of the clerk of the county court.

Nothing herein contained however shall be held to limit or abridge the power of the county judge to appoint any number of persons as probation officers. And upon a vote of the county commissioners court the county judge may appoint as many additional salaried probation officers as the court may direct. As a basis for the reckoning of the population of any county affected by this Section of the last Federal census shall be used.

Sec. 2. The importance of this legislation, the fact that this is a special session, the near approach of the end of the session and the crowded condition of the calendar create a nemergency and an imperative public necessity demanding the suspension of the constitutional rule requiring bills to be read on three several days in each House, and it is so suspended, and that this Act be in force and effect from and after its passage, and it is so enacted.

Committee Room,

Austin, Texas, July 22, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 130, copy of which is hereto attached, and find it correctly enrolled, and have this

day at 9:15 o'clock, p. m., presented same to the Governor for his approval.

SMITH, Chairman.

By Caldwell.

S. B. No. 130.

A BILL
To be Entitled

An Act to make certain emergency appropriations out of the general revenue for the Texas Ranger

Force for the fiscal year ending August 31, 1919, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That the following sums be and the same are hereby appropriated out of the general revenue to cover emergency for the purposes herein named, for the Texas Ranger Force for the fiscal year ending August 31, 1919:

	For the years ending	
	Aug. 31, 1920	Aug. 31, 1921
Item 1. Salary:		
Six captains at \$150.00 per month, two months 11 days.	\$ 2,130.00	
Five sergeants at \$100.00 per month, two months 11 days.	1,183.35	
Sixty-four privates at \$90.00 per month, two months, 11 days.	13,732.00	
		\$ 17,045.33
Item 2. Subsistence and Forage:		
Seventy-five men at \$30.00 per month, two months, eleven days.	\$ 5,325.00	
Seventy-five animals, (69 horses, 6 pack mules) at \$18.00 per month, two months, eleven days	3,195.00	
		\$ 8,520.00
Item 3. Ammunition:		
Seventy-five men, one rifle cartridge per day, at 9c, two months, eleven days.	\$ 479.25	
Seventy-five men, one pistol cartridge per day, at 4 1-2c, two months, eleven days.	239.62	
		\$ 718.87
Item 4:		
Railroad transportation (estimated) two months eleven days.	\$ 600.00	
		\$ 600.00
Item 5:		
Telephone and telegraph (estimated) two months eleven days.	\$ 150.00	
		\$ 150.00
Item 6:		
House rent and lodging (estimated) two months eleven days.	\$ 585.00	
		\$ 585.00
Item 7:		
Horseshoeing (estimated) two months, eleven days.	\$ 150.00	
		\$ 150.00
Item 8:		
Auto upkeep, two months, eleven days.	\$ 828.45	
		\$ 828.45
Item 9:		
Camp equipment, extra allowance for men when traveling, express and freight, stamps, stationery, drayage, necessary expenses for caring for men killed or wounded in action, horses killed or disabled in action, two months, eleven days.	\$ 1,402.35	
		\$ 1,402.35
		\$ 30,000.00

Sec. 2. There being no appropriation available out of which to pay the above claim an emergency and imperative public necessity exists which justifies the suspension of the constitutional rule requiring bills to be read on three several days in each House, and that this Act take effect and be in force from and after its passage, and it is so enacted.

By Westbrook.

S. B. No. 140.

A BILL
To Be Entitled

An Act making appropriations for the State Government for two years beginning September 1, 1919, and ending August 31, 1921, and for other purposes and prescribing certain regulations and restrictions in respect thereto; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That the following sums of money, or so much thereof as may be necessary, be and the same are hereby appropriated out of any money in the State Treasury not otherwise appropriated for the support of the State Government from September 1, 1919, to August 31, 1921; provided, that each and every employe of each and every institution or department of this State shall be paid by voucher issued in his or her name; said voucher shall state the amount of salary or sum due, and for what services performed, with the date and time of said service, and no money or moneys shall be paid except upon presentation of said voucher or vouchers endorsed by the payee; provided further, that all of said vouchers upon which any money or moneys have been paid shall be filed with the Comptroller for the inspection of the Governor and the Legislature or by their authority, or at the request of any citizen of this State; and, provided further, that the correct accounts shall be kept for all sums paid, or obligations outstanding against each item of appropriation herein, and weekly statements of the net balances to the credit of each account, after all payments made and obligations outstanding have been deducted, shall be forwarded to the State Comptroller, and it shall be unlawful for the State Purchasing Agent or the authority in charge of any institution or department of this State to purchase or issue orders for any supplies or otherwise pledge the credit of this State beyond the amounts herein appropriated or otherwise lawfully authorized.

EXECUTIVE OFFICE.

	For the years ending	
	Aug. 31, 1920	Aug. 31, 1921
Salary of Governor.....	\$ 4,000.00	\$ 4,000.00
Salary of Secretary to Governor.....	2,750.00	2,750.00
Salary of Assistant Secretary.....	1,800.00	1,800.00
Salary of Assistant Secretary.....	1,800.00	1,800.00
Salary of Stenographer.....	1,500.00	1,500.00
Salary of Stenographer.....	1,500.00	1,500.00
Salary of Stenographer.....	1,500.00	1,500.00
Salary of Custodian of files.....	1,200.00	1,200.00
Payment of rewards for the enforcing of the law, telegraphing, telephoning and for other purposes.	7,500.00	7,500.00
Traveling expenses of the Governor.....	500.00	500.00
Books and Stationery.....	1,000.00	1,000.00
Freight and Postage.	900.00	900.00
Ice.	36.00	36.00
Contingent expenses.	100.00	100.00
Repairs.	500.00	
To pay Lieutenant Governor for acting as Governor, to be used in two years.....	500.00	
Total.	\$ 27,086.00	\$ 26,086.00

All salaries to be paid in twelve equal monthly installments, unless otherwise provided herein.

Provided that no money herein or hereby appropriated for any purpose shall be paid to any person directly or indirectly who is not, at the time of receiving such pay, remuneration or emolument, a citizen of the United States, under the laws of the United States; provided, however, that this Act shall not apply to any persons, who is not a citizen of the United States, under the naturalization laws of the United States, who has resided in Texas for a period of ten years, and who shall, within thirty days after this Act shall take effect, make application to become a citizen of the United States, under the naturalization laws of the United States.

MANSION AND GROUNDS.

	For the years ending	
	Aug. 31, 1920	Aug. 31, 1921
For repairs, improvements to Mansion and grounds and necessary labor to care for same, replacing upholstering and purchasing new furniture and furnishings for use in the Mansion.	\$ 2,000.00	\$ 2,000.00
Labor and employees at Mansion.	1,500.00	1,500.00
Fuel, lights, water, ice, and telephone.	1,500.00	1,500.00
Total.	\$ 5,000.00	\$ 5,000.00

All salaries to be paid in twelve equal monthly installments unless otherwise provided herein.

The appropriations herein provided for the Executive Office and Mansion and Grounds are to be construed as the maximum sums to be appropriated to and for the several purposes named herein, and no expenditures shall be made, nor shall any obligations be incurred, which, added to the actual expenditures will exceed the amounts herein appropriated for either of the said purposes, except under the provisions provided for in Article 4342 of Chapter 2, Title 65 of the Revised Civil Statutes of 1911.

BOARD OF PARDON ADVISERS.

Salary of Board of Pardon Advisers as fixed by statutes \$3000 each.	6,000.00	6,000.00
Salary of stenographer.	1,350.00	1,350.00
Salary of file clerk and bookkeeper.	1,200.00	1,200.00
Contingent expenses	300.00	300.00
Traveling expenses of the Board exclusively for penitentiary investigations and other necessary investigations, none of which shall be used for traveling outside of the State of Texas.	500.00	500.00
Total.		

All salaries to be paid in twelve equal monthly installments unless otherwise provided herein.

The appropriations herein provided for the Board of Prison Advisers are to be construed as the maximum sums to be appropriated to and for the several purposes named herein, and no expenditures shall be made, nor shall any obligations be incurred, which, added to the actual expenditures, will exceed the amounts herein appropriated for either of the said purposes, except under the provisions provided for in Article 4342 of Chapter 2, Title 65 of the Revised Civil Statutes of 1911.

DEPARTMENT OF STATE.

	For the years ending	
	Aug. 31, 1920	Aug. 31, 1921
Secretary of State.....	\$ 2,000.00	\$ 2,000.00
Traveling expenses of Secretary of State, outside of State only.....	250.00	250.00
Chief Clerk.....	2,500.00	2,500.00
Cashier and bookkeeper to be placed under \$25,000 bond.....	2,250.00	2,250.00
Assistant bookkeeper.....	1,650.00	1,650.00
Assistant bookkeeper.....	1,500.00	1,500.00
Executive Clerk.....	1,650.00	1,650.00
Charter Clerk.....	1,500.00	1,500.00
Record Clerk.....	1,500.00	1,500.00
General Clerk.....	1,500.00	1,500.00
Certificate Clerk.....	1,200.00	1,200.00
Salary Assistant Cashier to be placed under a \$5,000 bond.....	1,800.00	1,800.00
Two Correspondence Clerks.....	2,400.00	2,400.00
One File Clerk.....	1,000.00	1,000.00
Emergency Clerk.....	1,200.00	1,200.00
Porter.....	720.00	720.00
Freight, postage, express, telephone, telegraph and contingent expenses.....	3,500.00	3,500.00
Books and Stationery.....	1,500.00	1,500.00
Total.....	\$ 29,620.00	\$ 29,620.00

All salaries to be paid in twelve equal monthly installments unless otherwise provided herein.

The appropriations herein provided for are to be construed as the maximum sums to be appropriated to and for the several purposes named herein, and no expenditures shall be made, nor shall any obligations be incurred, which added to the actual expenditures will exceed the amounts herein appropriated, for either of the said purposes, except under the provisions of Article 4342 of Chapter 2, Title 65, Revised Civil Statutes of 1911.

INSPECTOR OF MASONRY, PUBLIC BUILDINGS AND WORKS.

Salary of Inspector.....	\$ 2,000.00	\$ 2,000.00
Salary of 3 Assistants.....	3,400.00	3,400.00
Postage, stationery and box rent.....	100.00	100.00
Contingent expenses, including telephone, water and ice.....	100.00	100.00
Material test and analysis, long distance telephone, telegraphing and freight charges, and incidentals pertaining to the supervision of State buildings and for traveling expenses of Inspector and three Assistants, none of which shall be used for traveling outside of the State.....	4,000.00	4,000.00
Total.....	\$ 11,600.00	\$ 11,600.00

The appropriations herein made for this department, shall when Chapter 167 General Laws of the Regular Session of Thirty-sixth Legislature goes into effect, be available for expenditures by the Board of Control in such manner as said Board may find necessary to effectuate the purposes of said Chapter 167.

All salaries to be paid in twelve equal monthly installments, unless otherwise provided herein.

The appropriations herein provided for are to be construed as the

maximum sums to be appropriated to and for the several purposes named herein, and no expenditures shall be made, nor shall any obligations be incurred, which, added to the actual expenditures will exceed the amounts herein appropriated, for either of the said purposes, except under the propositions provided for in Article 4342 of Chapter 2, Title 65 of the Revised Civil Statutes of 1911.

DEPARTMENT OF INSURANCE AND BANKING.

	For the years ending	
	Aug. 31, 1920	Aug. 31, 1921
Salaries of:		
Commissioner	\$ 4,000.00	\$ 4,000.00
Commissioner as Ex-Officio Superintendent of Banking	1,000.00	1,000.00
Deputy Insurance Commissioner	3,300.00	3,300.00
Actuary.	2,700.00	2,700.00
Actuarial Clerk.	1,650.00	1,650.00
Statistical Clerk.	1,500.00	1,500.00
Two clerks in Insurance Divisions	2,400.00	2,400.00
Two Certificate Clerks.	2,400.00	2,400.00
File Clerk, Insurance Division	1,200.00	1,200.00
Three assistant Certificate clerks to be employed for the months of March, April and May, each year at \$60 per month	540.00	540.00
Chief Bookkeeper and general clerk of the Department.	2,000.00	2,000.00
For binding annual statements for Insurance Companies.	75.00	75.00
Porter and Mail Clerk for Department	600.00	600.00
Deputy Bank Commissioner.	3,000.00	3,000.00
Liquidating Agent, which salary is to be pro-rated by the banks in liquidation	3,000.00	3,000.00
Salary of Clerk and stenographer to the Commission.	1,800.00	1,800.00
Salary of Stenographer to Deputy Bank Commissioner.	1,200.00	1,200.00
Salary of Stenographer to Deputy Insurance Commissioner	1,200.00	1,200.00
Stenographer.	1,200.00	1,200.00
Charter Clerk and Stenographer	1,500.00	1,500.00
Two call ledger Clerks.	2,400.00	2,400.00
Salary of 23 Bank Examiners to be classified as follows:		
Four men.	8,000.00	8,800.00
13 men.	28,000.00	31,200.00
Two men.	4,800.00	5,200.00
One man.	2,600.00	2,800.00
Three men.	9,000.00	9,000.00
Traveling expenses of 23 bank examiners, not to exceed \$2500 for traveling expenses outside of State of Texas.	50,825.00	50,525.00
Traveling expenses of Commissioner and Deputies on official business, not to exceed \$500.00 for traveling outside of State of Texas.	1,500.00	1,500.00
Enforcement of Insurance and Banking laws.	2,000.00	2,000.00
Expenses of examination of Building Loan Association	600.00	600.00
Rent on telephone.	120.00	120.00
Ice.	36.00	36.00
Contingent expenses.	250.00	250.00
Postage, telephone, telegraph and stationery.	5,000.00	5,000.00

	For the years ending	
	Aug. 31, 1920	Aug. 31, 1921
For publishing Insurance Laws to be used in two years.....	\$ 500.00	
Printing and distributing Banking Laws, to be used in two years, and the Commissioner is hereby authorized to sell the name at such price as will cover cost of printing and distributing, the receipts to go into the General Revenue of the State of Texas.	1,000.00	
Total	\$153,196.00	\$155,696.00

All salaries to be paid in twelve equal monthly installments, unless otherwise provided herein.

Provided that all money collected by the authority of law from Insurance Companies, State Banks and Trust Companies shall be paid into the State Treasury.

The appropriations herein provided for are to be construed as the maximum sums to be appropriated to and for the several purposes named herein, and no expenditures shall be made, nor shall any obligations be incurred, which, added to the actual expenditures, will exceed the amounts herein appropriated for either of the said purposes except under the provisions provided for in Article 4342 of Chapter 2, Title 65 of the Revised Civil Statutes of 1911.

STATE FIRE INSURANCE COMMISSION.

Salaries of		
Chairman	\$ 500.00	\$ 500.00
Two members of State Fire Insurance Commission at \$3,600.00, each.....	7,200.00	7,200.00
Chief Clerk and Actuary.....	2,700.00	2,700.00
Assistant Chief Clerk.....	2,100.00	2,100.00
Stenographer to the Commissioner and Chief Clerk.	1,500.00	1,500.00
Chief Rate Clerk in charge of Rating Division..	2,700.00	2,700.00
Three Rate Clerks, at \$1,920.00, each.....	5,760.00	5,760.00
Four Assistant Rate Clerks, at \$1,620.00 each..	6,480.00	6,480.00
Nine Field Rate Inspector, at \$1,620.00, each..	14,580.00	14,580.00
Stenographer to the Rating Division.....	1,300.00	1,300.00
Chief Inspector in charge of Fire Prevention Division.	2,700.00	2,700.00
Two Special Inspectors in charge of Fire Investigations, at \$2,100.00, each.....	4,200.00	4,200.00
Two General Fire Prevention Inspectors, at \$1,800.00, each	3,600.00	3,600.00
Three Special Fire Inspectors at \$1,620.00, each	4,860.00	4,860.00
Stenographer to Fire Prevention Division.....	1,300.00	1,300.00
Chief Engineer in charge of Key Rate and Improved Risk Division.....	2,700.00	2,700.00
Two Assistant Engineers at \$2,000.00, each...	4,000.00	4,000.00
Two Assistant Engineers at \$1,800.00, each..	3,600.00	3,600.00
Drafting Clerk	1,300.00	1,300.00
Stenographer to Key Rate and Improved Risk Division	1,300.00	1,300.00
Statistical and File Clerk.....	1,300.00	1,300.00
Assistant Statistical and File Clerk and General Stenographer	1,200.00	1,200.00
Two tabulators at \$1,300.00, each.....	2,600.00	2,600.00
Map Clerk.	1,200.00	1,200.00
Mailing and Supplement Clerk.....	1,300.00	1,300.00
Assistant Mailing and Supplement Clerk.....	1,000.00	1,000.00
Porter and custodian of supplies.....	720.00	720.00

	For the years ending	
	Aug. 31, 1920	Aug. 31, 1921
Traveling expenses of two members of Commission and employees, not to exceed \$1500.00 of which shall be used for traveling outside of the State of Texas.	\$ 27,500.00	\$ 27,500.00
Stationery, printing, and supplies.	12,000.00	12,000.00
Postage and box rent.	2,500.00	2,500.00
Telephone, telegraph, and express.	1,200.00	1,200.00
Necessary expenses incurred in fire investigation and enforcement of the Fire Insurance Commission Law and the contingent expenses.	2,000.00	2,000.00
Maps and Blue Prints.	500.00	500.00
Subscriptions to magazines and periodicals.	60.00	60.00
Office rent for the employees of the State Fire Insurance Commission stationed at Dallas and Houston	540.00	540.00
One Fire Escape Inspector and Fire Prevention Engineer for state properties.	1,800.00	1,800.00
Traveling and other necessary expenses, none of which shall be used for traveling outside of Texas.	2,000.00	2,000.00
Postage, stationery, and printing, to be used in administering and enforcing the State Fire Escape Law, and for fire prevention work on State properties.	100.00	100.00
All salaries to be paid in twelve monthly installments, except as otherwise provided herein.		
Total.	\$133,900.00	\$133,900.00

Provided that all Revenue obtained from the one and one-fourth per cent tax on the gross premiums of all fire insurance companies, in accordance with Section 29, of the State Fire Insurance Law, passed by the Regular Session of the Thirty-third Legislature, and amended by the Regular Session of the Thirty-fifth Legislature shall be paid into the State Treasury, and all unexpended balances at the end of the fiscal year shall be paid into the State Treasury. The three last items, totaling \$3,900.00 shall be paid out of the General Revenue.

The appropriations herein provided for are to be construed as the maximum sums to be appropriated to and for the several purposes named herein, and no expenditures shall be made, nor shall any obligations be incurred, which, added to the actual expenditures, will exceed the amounts herein appropriated, for either of said purposes, except under the provisions provided for in Article 4342 of Chapter 2, Title 65 of the Revised Civil Statutes of 1911.

INDUSTRIAL ACCIDENT BOARD.

Salaries of:

Chairman.	\$ 4,000.00	\$ 4,000.00
Two members of Board at \$3,000.00 each.	6,000.00	6,000.00
Secretary.	2,500.00	2,500.00
Assistant Secretary	1,800.00	1,800.00
Two Clerks at \$1,300.00 each.	2,600.00	2,600.00
Clerk and Stenographer.	1,500.00	1,500.00
Porter who shall also serve the Board of Water Engineer	600.00	600.00
Postage, Box Rent and Express.	1,000.00	1,000.00
Telephones.	100.00	100.00
Ice and Incidental Expenses.	50.00	50.00
Telegraph.	50.00	50.00
Books, Stationery, Office Supplies, and Printing	1,200.00	1,200.00
Traveling Expenses necessary for making inspection, investigation and taking testimony,		

	For the years ending	
	Aug. 31, 1920	Aug. 31, 1921
none of which shall be used for traveling outside of the State of Texas.....	\$ 1,000.00	\$ 1,000.00
Employment of Physicians and expenses incident to examinations.	1,500.00	1,500.00
Total.	\$ 23,900.00	\$ 23,900.00

All salaries to be paid in twelve monthly installments, except as otherwise provided herein.

Provided that the Chairman nor no member of the Industrial Accident Board shall be allowed any portion of this appropriation for a salary unless they reside in Austin and devote their entire time to their work on said Board.

The appropriation herein provided for are to be construed as the maximum sums to be appropriated to and for the several purposes named herein, and no expenditures shall be made nor shall any obligations be incurred, which, added to the actual expenditures, will exceed the amounts herein appropriated for either of the said purposes, except under the provisions provided for in Article 4342 of Chapter 2, Title 65, Revised Civil Statutes of 1911.

TEXAS LIBRARIAN AND HISTORIAN.

Salary of Librarian.	\$ 2,000.00	\$ 2,000.00
Salary of Assistant Librarian and Cataloguer..	1,350.00	1,350.00
Salary of Legislative Reference Librarian.....	1,500.00	1,500.00
Salary of Archivist.	1,350.00	1,350.00
Salary of Documentary Librarian, said place to be filled by Mrs. Annie Throckmorton Shirley	1,200.00	1,200.00
Salary of Loan Assistant and Assistant Cataloger.	1,200.00	1,200.00
Salary of Stenographer Copyist.	1,200.00	1,200.00
Salary of Night Librarian, who shall keep the Library open from 5 p. m. to 10:30 p. m. each day except on Sundays, said position to be filled by some worthy and needy student of the University.	600.00	600.00
Additional Assistant as needed	720.00	720.00
General Assistant and Janitor.	720.00	720.00
Books for Librarian.	3,500.00	3,500.00
Books for the Blind.	1,000.00	1,000.00
Subscriptions.	600.00	600.00
Gathering Historical Data.	700.00	700.00
Binding and Repairs.	1,000.00	1,000.00
Stationery, Miscellaneous Supplies, Postage, Freight and Express.	1,000.00	1,000.00
Preparing and Publishing Archives to be extended to two years.		2,000.00
Traveling expenses of Commissioners, State Library Examiners, Librarian and Assistant while on official business, none outside the State.	250.00	250.00
Contingent Expenses.	300.00	300.00
Telephones.	122.00	108.00
All salaries to be paid in twelve equal monthly installments, except as otherwise provided herein.		
Total.	\$ 20,312.00	\$ 22,298.00

The appropriations herein provided for are to be construed as the maximum sums to be appropriated to and for the several purposes named herein, and no expenditures shall be made nor shall any obligations be incurred, which, added to the actual expenditures, will exceed the amounts

herein appropriated for either of the said purposes, except under the provisions provided for in Article 4342 of Chapter 2, Title 65, Revised Civil Statutes of 1911.

STATE TAX BOARD.

For the years ending
Aug. 31, 1920. Aug. 31, 1921.

Salaries of:		
Commissioner.	\$ 2,500.00	\$ 2,500.00
Stenographer.	1,350.00	1,350.00
Extra help to be used as needed.	300.00	300.00
Porter hire.	144.00	144.00
Postage, express, telegraph, and telephones.	200.00	200.00
Books and stationery.	100.00	100.00
Contingent expenses.	100.00	100.00
Traveling expenses, provided none of this amount shall be used for traveling outside of the State of Texas	200.00	200.00
All salaries to be paid in twelve equal monthly installments except as otherwise provided herein.		
Total.	\$ 4,894.00	\$ 4,894.00

The appropriations herein provided for are to be construed as the maximum sums to be appropriated to and for the several purposes named herein, and no expenditures shall be made nor shall any obligations be incurred, which, added to the actual expenditures, will exceed the amounts herein appropriated for either of the said purposes, except under the provisions provided for in Article 4342 of Chapter 2, Title 65, Revised Civil Statutes of 1911.

STATE PURCHASING AGENT.

Salaries of:		
State Purchasing Agent.	\$ 3,000.00	\$ 3,000.00
Chief Clerk.	2,400.00	2,400.00
Two assistant clerks, \$1,500.00 each.	3,000.00	3,000.00
Stenographer.	1,200.00	1,200.00
Contingent and Traveling expenses, provided none of this amount shall be used for traveling outside of the State of Texas.	1,200.00	1,200.00
Porter and mailing clerk.	600.00	600.00
Postage	360.00	360.00
Total	\$ 11,760.00	\$ 11,760.00

All salaries to be paid in twelve equal monthly installments, except where otherwise provided herein.

The appropriations herein made for this Department, shall, when Chapter 167, General Laws of the Regular Session of the Thirty-sixth Legislature goes into effect, be available for expenditures by the Board of Control in such manner as said Board may find necessary to effectuate the purposes of said Chapter 167.

The appropriations herein provided for are to be construed as the maximum sums to be appropriated to and for the several purposes named herein, and no expenditures shall be made nor shall any obligations be incurred, which, added to the actual expenditures, will exceed the amounts herein appropriated for either of the said purposes, except under the provisions provided for in Article 4342 of Chapter 2, Title 65, Revised Civil Statutes of 1911.

PUBLIC PRINTING.

	For the years ending Aug. 31, 1920. Aug. 31, 1921.	
For first, second and third class printing and binding, and for printing papers of the first, second and third class of public printing...	\$ 40,000.00	\$ 40,000.00
For printing and binding Texas Reports and Texas Criminal Reports.	4,500.00	4,500.00
Salary of Expert Printer and Secretary of Printing Board.	2,400.00	2,400.00
Salary of one assistant bookkeeper.	1,500.00	1,500.00
For telephone rent, postage, stationery, files and contingent expenses.	200.00	200.00
For advertising State's Business.	500.00	500.00
All salaries to be paid in twelve equal monthly installments, except when otherwise provided herein.		
Total.	\$ 49,100.00	\$ 49,100.00

The appropriations herein made for this Department, shall, when Chapter 167, General Laws of the Regular Session of the Thirty-sixth Legislature goes into effect, be available for expenditures by the Board of Control in such manner as said Board may find necessary to effectuate the purposes of said Chapter 167.

The appropriations herein provided for are to be construed as the maximum sums to be appropriated to and for the several purposes named herein, and no expenditures shall be made nor shall any obligations be incurred, which, added to the actual expenditures, will exceed the amounts herein appropriated for either of the said purposes, except under the provisions provided for in Article 4342 of Chapter 2, Title 65, Revised Civil Statutes of 1911.

TEXAS STATE RAILROAD.

For the purpose of buying and installing motor car on the Texas State Railroad.	\$ 4,000.00	
Fifteen thousand creosoted ties, or equivalent, placed in track over entire line, to be used as needed.	10,000.00	\$ 7,250.00
For general overhauling of Engine No. 7.	2,000.00	
Total.	\$ 16,000.00	\$ 7,250.00

The appropriations herein provided for are to be construed as the maximum sums to be appropriated to and for the several purposes named herein, and no expenditures shall be made nor shall any obligations be incurred, which, added to the actual expenditures, will exceed the amounts herein appropriated for either of the said purposes, except under the provisions provided for in Article 4342 of Chapter 2, Title 65, Revised Civil Statutes of 1911.

BUREAU OF LABOR STATISTICS.

Salaries of:		
Commissioner.	\$ 3,000.00	\$ 3,000.00
Chief Deputy.	2,000.00	2,000.00
Six deputies, \$1,800.00 each.	10,800.00	10,800.00
Chief of Woman's Division.	2,000.00	2,000.00
Two women inspectors, \$1,800.00 each.	3,600.00	3,600.00
Secretary.	1,800.00	1,800.00
Assistant Secretary and Senographer.	1,500.00	1,500.00
Traveling expenses, provided none of this amount shall be used for traveling outside of the State of Texas.	15,000.00	15,000.00

	For the years ending	
	Aug. 31, 1920. Aug. 31, 1921.	
Stationery, printing, postage and office supplies	1,200.00	1,200.00
Contingent expenses, to include telephone, telegraph, ice and janitor service.....	\$ 750.00	\$ 750.00
All salaries shall be paid in twelve equal monthly installments, except when otherwise provided herein.		
Total.	\$ 41,650.00	\$ 41,650.00

The appropriations herein provided for are to be construed as the maximum sums to be appropriated to and for the several purposes named herein, and no expenditures shall be made nor shall any obligations be incurred, which, added to the actual expenditures, will exceed the amounts herein appropriated for either of the said purposes, except under the provisions provided for in Article 4342 of Chapter 2, Title 65, Revised Civil Statutes of 1911.

INDUSTRIAL WELFARE COMMISSION.

Salaries of:		
Secretary.	\$ 1,600.00	\$ 1,600.00
Two investigators, \$1,600.00 each.	3,200.00	3,200.00
Stenographer and clerk	1,200.00	1,200.00
Traveling expenses, provided none of this amount shall be used for traveling outside of the State of Texas.	5,000.00	5,000.00
Office supplies, postage, printing and stationery	600.00	600.00
Contingent expenses, to include janitor service, ice, telegraph, and telephone.	400.00	400.00
For subpoenas and witness fees.	500.00	500.00
Court reporter at hearing.	1,000.00	1,000.00
All salaries shall be paid in twelve equal monthly installments, except where otherwise provided herein.		
Total.	\$ 13,500.00	\$ 13,500.00

The appropriations herein provided for are to be construed as the maximum sums to be appropriated to and for the several purposes named herein, and no expenditures shall be made nor shall any obligations be incurred, which, added to the actual expenditures, will exceed the amounts herein appropriated for either of the said purposes, except under the provisions provided for in Article 4342 of Chapter 2, Title 65, Revised Civil Statutes of 1911.

ADJUTANT GENERAL OFFICE.

Salary of Adjutant General.	\$ 3,600.00	\$ 3,600.00
Salary of Assistant Adjutant General who shall act as Chief Clerk.	2,000.00	2,000.00
Salary of State Quartermaster.	2,000.00	2,000.00
Salary of Finance Officer.	1,900.00	1,900.00
Salary of Records Clerk.	1,500.00	1,500.00
Salary of Chief Stenographer and filing clerk.	1,500.00	1,500.00
Salary of two stenographers.	2,400.00	2,400.00
Salary of Porter and Armorer.	600.00	600.00
Salary of Custodian of Files.	900.00	900.00
Stationery, postage, telegraphing and telephoning.	2,000.00	2,000.00
For pay, transportation, subsistence and all other expenses of military forces of the State when ordered on duty or when mobilized or when recruiting and organizing troops or when ordered on other military duties; providing		

For the years ending
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for the pay, transportation and expenses of officers on active duty or while serving on military courts and boards; providing for armory and storage facilities and organizations; providing for training, organizing, mobilizing and subsistence, paying, equipping, preparing for muster into and out of Federal service; providing for organizing, maintaining and equipping school of instruction for officers or enlisted men; providing for books and supplies; providing for necessary clerical assistance and labor in storage rooms, arsenals, armories and all headquarters including Divisional, Brigades and Regimentals; providing for transportation of stores and supplies and laundry and repair of uniforms and equipment and for hire, purchase, transportation and subsistence of animals, and for printing, stationery, postage, telephoning, telegraphing, and for the purchase of stores, supplies uniforms, arms and equipment for the National Guard of Texas.....	\$100,000.00	\$100,000.00
Totals.	\$118,400.00	\$118,400.00

RANGER FORCE.

Six captains.	\$ 10,800.00	\$ 10,800.00
Five sergeants.	6,000.00	6,000.00
64 privates.	69,120.00	69,120.00
Subsistence and Forage:		
75 men.	27,000.00	27,000.00
76 animals, 68 horses, 8 pack mules.....	16,416.00	16,416.00
Ammunition.	2,500.00	2,500.00
Railroad fare, not to exceed \$500.00 outside of State.	5,500.00	5,500.00
Telegraph and Telephone.	750.00	750.00
5 camps.	1,200.00	1,200.00
12 detach.	2,000.00	2,000.00
Fuel 17 camps.	1,000.00	1,000.00
Lights 17 camps.	408.00	408.00
Water 17 camps.	204.00	204.00
Horse shoeing 76 head, 6 times per year.....	864.00	864.00
Auto upkeep.	3,600.00	3,600.00
Camp equipage, tentage, medical and surgical services, express and freight charges, men's lodging and subsistence when traveling, stationery, stamps and other incidental expenses.	9,000.00	9,000.00
All salaries shall be paid in 12 equal monthly installments except where otherwise provided herein.		
Grand total.	\$156,362.00	\$156,362.00

Provided, that the head of said department keep a record of the absences of the various employes, the reasons therefor, whether from sickness, vacation or on leave of absence, and that the record of such absences be incorporated in the report made annually by the head of said department.

The appropriations herein provided for are to be construed as the maximum sums to be appropriated to and for the several purposes named

herein, and no expenditures shall be made, nor shall any obligations be incurred which, added the actual expenditures, will exceed the amounts herein appropriated for either of the said purposes except under the provisions provided for in Article 4342, of Chapter 2, Title 65 of the Revised Civil Statutes of 1911.

STATE BOARD OF HEALTH.

	For the years ending	
	Aug. 31, 1920	Aug. 31, 1921
Salary of President.....	\$ 3,000.00	\$ 3,000.00
Salary of Assistant State Health Officer.....	2,400.00	2,400.00
Salary of Register of Vital Statistics.....	2,400.00	2,400.00
Salary of Assistant Registrar of Vital Statistics.....	1,500.00	1,500.00
Salary Chemist and Bacteriologist.....	2,100.00	2,100.00
Salary Sanitary Engineer.....	2,750.00	2,750.00
Salary Chemist and Bacteriologist.....	2,100.00	2,100.00
Salary Assistant Sanitary Engineer.....	2,200.00	2,200.00
Salary first Assistant Field Engineer.....	1,800.00	1,800.00
Salary of Chief Clerk and Bookkeeper.....	1,800.00	1,800.00
Salary of Head Stenographer.....	1,500.00	1,500.00
Salary two stenographers.....	2,400.00	2,400.00
Salary two filing and general clerks.....	2,400.00	2,400.00
Salary of Board and mileage.....	1,000.00	1,000.00
Salary porter and custodian supplies.....	600.00	600.00
Traveling expenses in enforcement of law governing birth and death registration, provided none of this amount shall be used for traveling outside of the State.....	200.00	200.00
Filing cases, printing birth and death certificates, books, and postage, and for additional help to be used as needed.....	3,750.00	3,750.00
Traveling expenses, not to exceed \$350.00 for traveling outside of State of Texas.....	5,000.00	5,000.00
Telegraph and telephone.....	1,050.00	1,050.00
Printing, books and stationery.....	3,000.00	3,000.00
Postage and box rent.....	1,000.00	1,000.00
Express.....	200.00	200.00
Laboratory Supplies.....	1,000.00	1,000.00
Contingent fund.....	4,000.00	4,000.00
Emergency fund to be used in case of epidemics.....	2,000.00	2,000.00
To maintain and operate a Child Hygiene Bureau of Communicable Diseases and to maintain and operate a bureau of Public Health Education.....	35,000.00	35,000.00
Equal to Allotment Venereal Disease Department Chamberlain-Kahn Bill:		
Bureau Venereal and other Communicable Diseases as follows:		
Salary Director Bureau Venereal Diseases.....	1,500.00	1,500.00
Salary Chief Clerk Bureau Venereal Diseases..	1,500.00	1,500.00
Traveling Expenses.....	1,500.00	1,500.00
Salary 2 stenographers.....	2,400.00	2,400.00
Salary Filing Clerk.....	1,200.00	1,200.00
Salary Mailing Clerk.....	1,200.00	1,200.00
Additional help.....	1,500.00	1,500.00
Incidentals.....	400.00	400.00
Ice.....	100.00	100.00
Printing and Educational Propaganda.....	10,000.00	10,000.00
Treatment.....	5,000.00	5,000.00
The appropriations provided for herein under the Venereal Disease Department is made upon condition that the Federal Government appropriate a similar amount for such purpose. In		

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the event such fund is not supplemented by Federal Appropriation this fund is to revert back to the State Treasury.

Bureau of Rural Sanitation:

For continuance of Rural Health work as provided for in Senate Bill No. 159, General Laws of Texas, Thirty-fifth Legislature 1917.....\$ 15,700.00 \$ 15,700.00
All salaries shall be paid in twelve equal monthly installments except where otherwise provided herein.

Total. \$126,050.00 \$126,050.00

Provided, that the President of said Board may abolish such positions as are herein set forth it, in his judgment, the same are not necessary for the protection of public health, or he may require officers to perform such other work in his department as he may think for the interest of the public health.

Provided, that the president of said board shall submit to the Governor at the end of each three months an itemized report showing the matter in which funds were expended; and said itemized report shall, after approval, be filed with the Comptroller, for public inspection.

Provided, that the head of the department shall keep a record of the absences of the various employes and the reasons thereof, whether from sickness, vacation or on leave of absence, and the record of such absences be incorporated in the report made annually by the head of the department.

The appropriations herein provided for are to be considered as the maximum sums to be appropriated to and for the several purposes named herein, and no expenditure shall be made, nor shall any obligations be incurred which, added to the actual expenditures will exceed the amounts herein appropriated for either of the said purposes, except under the provisions provided for in Article 4342 of Chapter 2, Title 65 of the Revised Civil Statutes of 1911.

GAME, FISH AND OYSTER COMMISSION.

Salary of Commissioner.....	\$ 2,500.00	\$ 2,500.00
Salary of Chief Deputy.....	2,000.00	2,000.00
Salary of Auditor and Clerk.....	1,800.00	1,800.00
Salary of First Assistant Deputy.....	1,500.00	1,500.00
Salary of second Assistant Deputy.....	1,500.00	1,500.00
Salary of Stenographer.....	1,200.00	1,200.00
Salary of Captain of Boat "Jim Duke".....	1,000.00	1,000.00
Salary of Mate Boat "Jim Duke".....	900.00	900.00
Salary of Captain Boat "Scout".....	1,000.00	1,000.00
Salary of Captain of Boat "Ranger".....	1,000.00	1,000.00
Salary of Captain of Boat "Reliance".....	1,000.00	1,000.00
Salary of Mate Boat "Reliance".....	900.00	900.00
Salary of Captain Boat "Ann Kauffman".....	1,000.00	1,000.00
Salary of Captain Boat "Uncle Lobe".....	1,000.00	1,000.00
Salary of Mate Boat "Uncle Lobe".....	900.00	900.00
Salary of Head Deputy Caddo Lake.....	1,200.00	1,200.00
Salary of Assistant Deputy Caddo Lake.....	900.00	900.00
Salary of Shore Deputy Galveston.....	1,500.00	1,500.00
Salary of Shore Deputy Houston.....	1,500.00	1,500.00
Salary of Shore Deputy Port O'Connor.....	600.00	600.00
Salary of Shore Deputy Rockport.....	600.00	600.00
Salary of Shore Deputy Port Isabel.....	900.00	900.00
Salary of Shore Deputy Corpus Christi.....	600.00	600.00
Salary of Shore Deputy Port Arthur.....	900.00	900.00
Salary of Deputy Medina Lake.....	1,200.00	1,200.00

	For the years ending	
	Aug. 31, 1920	Aug. 31, 1921
Traveling and all other expenses of Commissioner, not to exceed \$200.00 outside of State \$	1,500.00	\$ 1,500.00
Stationery and Printing.....	750.00	750.00
Provisions for Boat "Jim Duke".....	300.00	300.00
Provisions for Boat "Reliance".....	250.00	250.00
Provisions for Boat "Uncle Lobe".....	150.00	150.00
Provisions for Boat "Ranger".....	150.00	150.00
Provisions for Boat "Scout".....	150.00	150.00
For opening Cedar Bayou to the Gulf.....	1,500.00	
Gasoline, oil, running repairs of Boats, Telephone, Stamps, incidentals, Special and Local Deputies and General Running Expenses of the Department and the enforcement of the Game, Fish and Oyster Laws.....	18,000.00	18,000.00
Salary of Supt. State Fish Hatchery.....	1,500.00	1,500.00
Salary of two helpers at Hatchery.....	1,680.00	1,680.00
General expense of maintenance of Fish Hatchery.....	2,400.00	2,400.00
Repairs and necessary improvements both buildings and grounds, State Fish Hatchery.....	100,000.00	
Purchasing of 2 Ford Automobiles for the enforcement of Game, Fish and Oyster Laws...	1,250.00	
Purchasing of Automobiles and repairs and permission to exchange old ones for new ones..	1,500.00	
Purchasing of Boat and repair and permission to exchange old ones for new ones.....	2,500.00	2,500.00
For cultivation of oysters, for apparatus, boats and labor of working on and improving oyster reefs in the Bays of Texas for two years ending August 31, 1921.....	15,000.00	
All salaries shall be paid in twelve equal monthly installments, except where otherwise provided herein.		
Total.....	\$ 87,830.00	\$ 58,430.00

Provided, that all revenues, including fines, fees and penalties collected by the Game, Fish and Oyster Commissioner, and those acting for or under him, from any source whatever, together with any and all unexpended balances in the hands of said Commissioner on August 31st, 1919, shall be paid into the State Treasury accompanied by a statement showing from whom and for what purpose said revenues, fees, fines and penalties were collected.

The appropriations herein provided for are to be construed as maximum sums to be appropriated to and for the several purposes named herein, and no expenditures shall be made, nor shall any obligations be incurred, which added to the actual expenditures, will exceed the amounts appropriated for either of said purposes, except under the provisions provided for in Article 4342 of Chapter 2, Title 65 of the Revised Civil Statutes of 1911.

LIVE STOCK SANITARY COMMISSION.

Salary of Chairman.....	\$ 2,500.00	\$ 2,500.00
Expenses Chairman.....	1,200.00	1,200.00
Salary Commissioner.....	1,250.00	1,250.00
Expenses Commissioner.....	500.00	500.00
Salary of Commissioner.....	1,250.00	1,250.00
Expenses Commissioner.....	500.00	500.00
Salary Chief Cattle Inspector.....	2,000.00	2,000.00
Expenses Chief Cattle Inspector.....	900.00	900.00
Salary Chief Sheep Inspector.....	1,800.00	1,800.00
Expenses Chief Sheep Inspector.....	800.00	800.00

	For the years ending	
	Aug. 31, 1920.	Aug. 31, 1921.
Salary State Veterinarian.....	\$ 2,250.00	\$ 2,250.00
Salary Assistant State Veterinarian.....	2,000.00	2,000.00
Expenses State Veterinarian and Assistant Veterinarian.	1,400.00	1,400.00
Salary 4 Veterinarians \$1,800 per annum each	7,200.00	7,200.00
Expenses 4 Veterinarians covering hotel bills traveling expenses except railroad transportation.	3,840.00	3,840.00
Indemnification to owners of cattle destroyed on account of tuberculosis as provided for in Senate Bill No. 174 passed at the Regular Session of the Thirty-sixth Legislature.....	20,000.00	20,000.00
Investigation, eradication and control of anthrax, hog cholera contagious abortion and other infectious and contagious diseases.	5,000.00	5,000.00
For the purpose of eradicating animals as provided for in Chapter 107 of the Acts of the Regular Session of the Thirty-sixth Legislature for the Fiscal year beginning September 1, 1920.		2,500.00
Railroad transportation of members, officials and employes of the Live Stock Sanitary Commission, not to exceed \$500.00 outside of State	10,000.00	10,000.00
Salary of Chief Clerk.....	1,800.00	1,800.00
Salary Bookkeeper and Accountant.....	1,600.00	1,600.00
Salary 2 clerks 1200 dollars each per annum..	2,400.00	2,400.00
Salary 65 inspectors, 40 at \$1500 and 25 at \$1200 each per annum.....	90,000.00	90,000.00
Expenses 65 inspectors, covering hotel bills, necessary traveling expenses, including auto and livery hire and other conveyance expenses and hire except by rail.....	63,000.00	63,000.00
Office expenses, including office rent, stamps, stationery, printing, telegraph and telephone service, office furniture and fixtures and other necessary office expenses.....	5,000.00	5,000.00
Dip material, spray pumps testing outfits, testing material and chemicals.....	800.00	800.00
Provided that the hides of animals so killed shall be sold by the Live Stock Sanitary Commission, and the proceeds therefrom placed in the State Treasury to the credit of the General Revenue.		
Total.	\$228,990.00	\$253,990.00

Provided the inspectors of the Live Stock Sanitary Commission provided for in this bill, shall be exempt from the provisions of Article 1533 of the Revised Criminal Statutes of 1911.

All salaries to be paid in twelve equal monthly installments, except when otherwise provided herein.

Provided that the head of said department keep a record of the absences of the various employes and the reasons therefor, whether from sickness, vacation or on leave of absence, and said record shall be incorporated in the report made annually by the head of said department.

The appropriations herein provided for are to be construed as the maximum sums to be appropriated to and for the several purposes named herein, and no expenditures shall be made, nor shall any obligations be incurred which, added to the actual expenditures, will exceed the amounts herein appropriated for either of the said purposes, except under the provisions provided for in Article 4342, Chapter 2, Title 65 of the Revised Civil Statutes of 1911.

STATE MINING BOARD.

	For the year ending.	
	Aug. 31, 1920	Aug. 31, 1921
Per diem and salary of Board.....	\$ 200.00	\$ 200.00
Traveling expenses of Board.....	400.00	400.00
Salary State Inspector of Mines.....	2,000.00	2,000.00
Traveling expenses of State Inspector of Mines, none outside of State.....	1,000.00	1,000.00
All salaries to be paid in twelve equal monthly installments, except when otherwise provided herein.		
Total.	\$ 3,600.00	\$ 3,600.00

The appropriations herein provided for are to be construed as the maximum sums to be appropriated to and for the several purposes named herein, and no expenditures shall be made, nor shall any obligations be incurred, which, added to the actual expenditures will exceed the amounts herein appropriated for either of the said purposes except under the provisions provided for in Article 4342 of Chapter 2, Title 65 of the Revised Civil Statutes of 1911.

PURE FOOD AND DRUG DEPARTMENT.

Salary of Commissioner.....	\$ 3,000.00	\$ 3,000.00
Salary of two Chemists \$2400 each.....	4,800.00	4,800.00
Salary of Assistant Chemist.....	1,800.00	1,800.00
Salary of Chief Clerk who shall also do in- spection work.	1,800.00	1,800.00
Salary of seven inspectors whose salaries are hereby fixed at \$1800 each.	12,600.00	12,600.00
Salary of Stenographer.	1,200.00	1,200.00
Salary of Porter.	600.00	600.00
Office and Laboratory Supplies.....	900.00	900.00
Stamps, Stationery and Books and Scientific Data for Offices.....	600.00	600.00
Traveling and other expenses in the discharge of official duties, and in attending court as witnesses, for telegrams and telephone mes- sages, and for purchasing samples for analysis to be used as evidence, not to exceed \$600 out- side of State.	15,600.00	15,600.00
For salaries and other expenses for collecting fees under Pure Food Laws, and such Fees Collected shall be turned into the State Treasury to the credit of General Revenue..	3,000.00	3,000.00
Stamps for collecting fees.....	500.00	500.00

Totals.

For the Enforcement of the Pure Gasoline
Law, and the Anti-Narcotic Laws:

Salary Chief Gasoline and Drug Inspector.....	1,800.00	1,800.00
Salary one gasoline and drug inspector.....	1,500.00	1,500.00
Traveling and other expenses, none to be used outside of State.	3,000.00	3,000.00
Laboratory supplies.	900.00	900.00
Stenographer and clerk.....	1,350.00	1,350.00
All salaries shall be paid in twelve equal monthly installments except where otherwise provided herein.		

Grand total. \$ 54,950.00 \$ 54,950.00

Provided, that the head of said department keep a record of the absences of the various employes and the reasons therefor, whether from

sickness, vacation or on leave of absence, and said record shall be incorporated in the report made annually by the head of said department.

The appropriations herein provided for are to be construed as the maximum sums to be appropriated to and for the several purposes named herein, and no expenditures shall be made, nor shall any obligations be incurred which, added the actual expenditures, will exceed the amounts herein appropriated for either of the said purposes except under the provisions provided for in Article 4342, of Chapter 2, Title 65 of the Revised Civil Statutes of 1911.

ATTORNEY GENERAL'S DEPARTMENT.

	For the years ending	
	Aug. 31, 1920.	Aug. 31, 1921.
Salary of Attorney General.....	\$ 2,000.00	\$ 2,000.00
And further sums each year or so much thereof as may be necessary to pay such fees as may be prescribed by law.	2,000.00	2,000.00
Salary of first assistant Attorney General who shall set as Attorney General in the absence of the Attorney General	3,600.00	3,600.00
Salaries of nine other assistants, who shall perform such duties as may be assigned to them by the Attorney General at \$3600.00 per year each.	32,400.00	32,400.00
Salary of Chief Clerk and bookkeeper.....	2,500.00	2,500.00
Salary of Assistant Clerk and Special Agent....	2,500.00	2,500.00
Salaries of eight stenographers, provided however that stenographers working their first year with the Department shall be paid at a rate not exceeding \$100 per month, those the second year at a rate not exceeding \$110 per month, those the third year at a rate not exceeding \$120 per month, and those the fourth year and thereafter at a rate of \$125 per month provided that the stenographers now in the employ of the department shall have the period of past employment counted in determining their rate of pay.....	10,635.00	11,400.00
Salary of stenographers and secretary to bonding department.	1,500.00	1,500.00
Salary of Porter who shall also copy and mail all letters and keep library in order.....	720.00	720.00
Law books and periodicals.....	800.00	800.00
For purchasing of National Reporter System of law books exclusive of sets already owned..	750.00	750.00
Typewriters, postage, telephone service, telegraph service and miscellaneous expenses..	1,000.00	1,000.00
Actual traveling expenses incurred by Attorney General and any of his assistants and representatives in giving attention to the State's business pending elsewhere than in the City of Austin, not to exceed \$1000 outside of State.	2,000.00	2,000.00
For enforcement State Wide Prohibition law..	3,000.00	3,000.00
Cost in Civil cases in which the State of Texas or any head of a department is a party....	2,000.00	2,000.00
For the enforcement of the anti-trust, land corporation and all other laws, civil and criminal, including the defenses of cases original number 13 State of New Mexico versus State of Texas pending in Supreme Court of the		

For the years ending
Aug. 31, 1920. Aug. 31, 1921.

United States, involving the boundary between the State of New Mexico and the State of Texas, including costs of investigation and all other necessary expenses pertaining to this suit, and all expenses necessary in representing the interests of the State in the Commission in regard to the railroad's rate matter \$ 15,000.00 \$ 15,000.00

All salaries shall be paid in twelve equal monthly installments except where otherwise provided herein.

Total. \$ 82,405.00 \$ 83,170.00

Provided that the head of said department keep a record of the absences of the various employes and the reasons therefor, whether from sickness, vacation or on leave of absence, and the record of such absences be incorporated in the report made annually by the head of said department.

The appropriations herein provided for are to be construed as the maximum sums to be appropriated to and for the several purposes named herein, and no expenditures shall be made, nor shall any obligations be incurred which, added the actual expenditures, will exceed the amounts herein appropriated for either of the said purposes except under the provisions provided for in Article 4342, of Chapter 2, Title 65 of the Revised Civil Statutes of 1911.

DEPARTMENT OF EDUCATION.

Salary of State Superintendent.	\$ 4,000.00	\$ 4,000.00
Salary of First Assistant State Superintendent who shall also act at State Superintendent in the absence of the State Superintendent..	2,700.00	2,700.00
Salary of Second Assistant Superintendent....	2,250.00	2,250.00
Salary of Third Assistant Superintendent.....	2,250.00	2,250.00
Salary of Chief Supervisor of Public High Schools.	2,600.00	2,600.00
Salary of three High School Supervisors.....	6,600.00	6,600.00
Salaries of four School Supervisors	8,000.00	8,000.00
Traveling expenses of School Supervisors when on official duty, none to be used outside of State.	6,000.00	6,000.00
Salary of Auditor in Chief.	1,800.00	1,800.00
Salary of Assistant Auditor.	1,350.00	1,350.00
Salary of Statistician.	1,500.00	1,500.00
Salary of Assistant Statistician	1,200.00	1,200.00
Salary of Certificate Clerk.....	1,630.00	1,630.00
Salary of Chief of Correspondence Division in charge of mail and supplies.	1,500.00	1,500.00
Salary of Assistant Correspondence and Certificate Clerk.	1,350.00	1,350.00
Salary of six stenographers	7,000.00	7,000.00
Salary of porter.	600.00	600.00
Traveling expenses of State Superintendent, or his or her representatives on official duty, not to exceed \$500.00 outside of State.	2,500.00	2,500.00
Postage, stationery, files, binding of reports and other books, forms and pamphlets.....	5,000.00	5,000.00
Express, parcel post, printing, telegraph and telephoning.	2,200.00	2,200.00
Contingent expenses	300.00	300.00
For printing and distributing county superintendent's record books, teachers daily regis-		

For the years ending
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ters and teachers, superintendents, and treasurers blank reports, census blanks, courses of study, educational bulletins, circulars to teachers and school officers. \$ 15,000.00 \$ 15,000.00

Also for support of public free schools, and for free text books for two years, all of the available free school fund arising from the interest or lease of school lands, interest on bonds, school taxes and all other sources of revenue to said fund; provided that the text books may be purchased only from funds arising from State ad valorem school tax.

All salaries to be paid in twelve equal monthly installments, except when otherwise provided herein.

Total. \$77,350.00 \$ 77,350.00

Provided that the head of said department keep a record of the absences of the various employes and the reasons therefor, whether from sickness, vacation or on leave of absence, and that the record of such absence be incorporated in the report made annually by the head of said department.

The appropriations herein provided for are to be considered as the maximum sums to be appropriated to and for the several purposes named herein, and no expenditures shall be made nor shall any obligations be incurred which, added to the actual expenditures will exceed the amounts herein appropriated for either of the said purposes except under provisions provided in Article 4342, Chapter 2, Title 65 of the Revised Civil Statutes of 1911.

TREASURY DEPARTMENT.

Salary of State Treasurer.	\$ 2,500.00	\$ 2,500.00
Salary of Chief Clerk.	2,750.00	2,750.00
Salary of Chief Bookkeeper	2,250.00	2,250.00
Salary Assistant Bookkeeper.	2,000.00	2,000.00
Salary of Bond Clerk.	2,000.00	2,000.00
Salary one Appropriation Clerk	1,600.00	1,600.00
Salary two Assistant Appropriation Clerks and Stenographers.	3,200.00	3,200.00
Salary Night Watchman.	800.00	800.00
Salary of Manager Depository Department.	2,000.00	2,000.00
Salary Assistant Manager Depository Department.	1,750.00	1,750.00
Salary four Bookkeepers and Assistants.	6,000.00	6,000.00
Salary Porter and Filing Clerk.	720.00	720.00
Books, stationery, etc.	2,000.00	1,750.00
Time Locks, etc.	100.00	100.00
Contingent Expense.	400.00	400.00
Express charges.	100.00	100.00
Traveling expenses, none to be used outside of State.	300.00	300.00
To purchase and install one vault door.	4,500.00	
For burglary insurance.	455.00	455.00
Total.	\$ 35,425.00	\$ 30,675.00

All salaries to be paid in twelve equal monthly installments except when otherwise provided herein.

To refund to purchasers and to lessees of public domain, public school, University or asylum lands and to purchasers of timber, or their vendees or assignees, money which has been or which may be paid by them into

the State Treasury or to the Attorney General, if in any of the following instances:

(a) Through error made in good faith, to be supported by the official signature of the Land Commissioner, or of the Attorney General, to whom such payment is made.

(b) Where the payment is made in accordance with the law, but title cannot issue or possession cannot pass, because of conflict in boundaries, erroneous sales, erroneous leases, or other causes.

(c) In case of sales of leased lands.

(d) Where lease money has been paid on previous forfeited sales the same having been reinstated and all interest paid.

(e) Where erroneous timber sales have been made.

(f) Where over-payments have been made in final payments to the State Treasurer.

(g) Where a reduction has been made in acreage of timber sold or of lands sold or leased.

(h) In case of sale of timber which has been previously out and appropriated without such feet having been reported to the General Land Office prior to such sale; and to pay over to newly organized counties where school lands set apart to such county are under lease at the time of organization of such county, the previously paid but unearned portion of lease money on such lands all refunds and payments herein provided for to be paid out of the respective funds to which said payments have been made or may be accredited and all claims for refund or payment, except those embraced in subdivision (a) hereof, to be certified by the certificate of the Commissioner of the General Land Office and also the proper amounts, and all such claims to be verified by the affidavit of the claimant and approved by the Attorney General as to the correctness of the claim and to whom due; provided, that the money is paid by any purchaser or lessees in case of sale of land by the purchaser, or assignment of the lease by the lessee after payment of such money, so that such refund to be paid to the person upon whom the loss falls in case of failure of title or right of possession, twenty-five thousand dollars each year.

Provided, that the head of said department shall keep a record of the absences of the various employes of said department and reasons therefor, whether from sickness, vacation or on leave of absence, and that such record be incorporated in the report made annually by the head of said department.

The appropriations herein provided for are to be construed as the maximum sums to be appropriated to and for the several purposes named herein, and no expenditures shall be made, nor shall any obligations be incurred which, added the actual expenditures, will exceed the amounts herein appropriated for either of the said purposes except under the provisions provided for in Article 4342, of Chapter 2, Title 65 of the Revised Civil Statutes of 1911.

STATE COMPTROLLER'S DEPARTMENT.

For the years ending
Aug. 31, 1920. Aug. 31, 1921.

Salaries of:		
Comptroller.	\$ 2,500.00	\$ 2,500.00
Private Secretary and Stenographer to Comptroller.	1,500.00	1,500.00
Chief Clerk.	2,750.00	2,750.00
Chief Bookkeeper to be under bond.	2,400.00	2,400.00
Assistant Bookkeeper.	1,800.00	1,800.00
Corresponding Clerk.	1,200.00	1,200.00
Sheriff's clerk.	2,000.00	2,000.00
First Assistant Sheriff's Clerk.	1,500.00	1,500.00
Second Assistant Sheriff's Clerk.	1,200.00	1,200.00
Receiving Clerk.	1,500.00	1,500.00
Bond Clerk to be put under bond.	2,000.00	2,000.00
Transcript Clerk.	1,200.00	1,200.00

	For the years ending	
	Aug. 31, 1920.	Aug. 31, 1921.
First Assistant Bond Clerk.....	\$ 1,500.00	\$ 1,500.00
Chief Warrant Clerk	2,100.00	2,100.00
First Assistant Warrant Clerk.	1,800.00	1,800.00
Bookkeeper in Warrant Room.....	2,000.00	2,000.00
Chief Tax Clerk.....	2,100.00	2,100.00
Assistant Tax Clerk.	1,800.00	1,800.00
Gross Receipts Tax Clerk.....	2,000.00	2,000.00
Redemption Clerk.	2,000.00	2,000.00
Three Assistant Redemption Clerks \$1200 each	3,600.00	3,600.00
Examining Clerk.	1,500.00	1,500.00
Assistant Examining Clerk.	1,200.00	1,200.00
Auditing Clerk.	1,800.00	1,800.00
Two Assistant Auditing Clerks, \$1500 each..	3,000.00	3,000.00
Chief Pension Clerk.	2,000.00	2,000.00
First Assistant Pension Clerk.....	1,500.00	1,500.00
Second Assistant Pension Clerk.....	1,200.00	1,200.00
Bookkeeper in Pension Department.....	1,200.00	1,200.00
Deposit Warrant and Register Clerk.....	1,200.00	1,200.00
Cancellation and Erroneous Assessment Clerk..	1,200.00	1,200.00
General Warrant and Register Clerk.....	1,200.00	1,200.00
Stenographer.	1,200.00	1,200.00
Letter Register and Mailing Clerk.....	1,200.00	1,200.00
Recording Clerk.	1,200.00	1,200.00
Two Assistant Clerks, \$1350 each.....	2,700.00	2,700.00
Emergency Clerks, to be used as needed, not to exceed \$100.00 per month each.	1,500.00	1,500.00
Custodian of Records and Index Clerk.....	1,350.00	1,350.00
Two porters, \$600 each who shall attend to office duties only.	1,200.00	1,200.00
Salaries for Special Examiners, whose duty it shall be to thoroughly examine and check all financial affairs and transactions of all State departments, Institutions and Schools and to thoroughly examine and check all transactions of all the District, County and Precinct officers handling funds in which the State is interested, and to audit the books and reports of all State, District, County, Precinct and City Officials, now required by law, to be filed with the Comptroller of Public Accounts, and to perform the duties formerly imposed upon the State Revenue Agent, with reference to the collection of gross receipts and occupation taxes, and to audit the accounts of persons, firms, associations or corporations, making reports of gross receipts taxes to the Comptroller's Department as follows:		
One Chief Auditor, who shall superintend the auditing division.	2,750.00	2,750.00
Five Special Examiners at \$2,000.00 each....	10,000.00	10,000.00
Five Special Examiners at \$2,400.00 each....	12,000.00	12,000.00
For the traveling expenses of said examiners, together with all other legitimate and necessary expenses, incident to the final recovery of all moneys found to be due to the State, provided none of this shall be used for traveling expenses outside of the State of Texas.		
Postage, express, telegraph, telephone, ice, laundry, supplies and repairs.....	15,000.00	15,000.00
	8,000.00	8,000.00

	For the years ending	
	Aug. 31, 1920.	Aug. 31, 1921.
Contingent expenses.	\$ 1,000.00	\$ 1,000.00
Books and stationery.	2,000.00	2,000.00
Traveling expenses of Comptroller, or his representative, when necessary to check up accounts of Tax Collectors, or other official business, provided none of this shall be used for traveling outside of the State of Texas.	1,000.00	1,000.00
For binding records.	2,500.00	2,500.00
All salaries shall be paid in twelve equal monthly installments except where otherwise provided herein.		
For enforcement State Wide Prohibition law.	3,000.00	3,000.00
Total.	\$125,050.00	\$125,050.00

The appropriations herein provided for are to be construed as the maximum sums to be appropriated to and for the several purposes named herein, and no expenditures shall be made nor shall any obligations be incurred, which, added to the actual expenditures, will exceed the amounts herein appropriated for either of the said purposes, except under the provisions provided for in Article 4342 of Chapter 2, Title 65 of the Revised Civil Statutes of 1911.

GENERAL LAND OFFICE.

Salary of Commissioner.	\$ 2,500.00	\$ 2,500.00
Salary of Chief Clerk	2,750.00	2,750.00
Salary of Assistant Chief Clerk	1,800.00	1,800.00
Salary of Legal Examiner	2,400.00	2,400.00
Salary of Receiver	2,000.00	2,000.00
Salary of Spanish Translator	1,800.00	1,800.00
Salary of Old Title and Deposition Clerk.	2,200.00	2,200.00
Salary of Head Transcript Clerk	1,600.00	1,600.00
Salary of Two Assistant Transcript Clerks	2,800.00	2,800.00
Salary of Patent Clerk	1,800.00	1,800.00
Salary of Title Transfer Clerk	1,800.00	1,800.00
Salary of Custodian of Files	1,800.00	1,800.00
Salary of Letter Register Clerk	1,300.00	1,300.00
Salary of Letter Index Clerk	1,300.00	1,300.00
Salary of Compiling and Abstract Clerk	2,100.00	2,100.00
Salaries of 4 Corresponding Clerks	5,200.00	5,200.00
School Land Division:		
Salary of Chief Clerk.	1,800.00	1,800.00
Salary of Head Sales Clerk	1,800.00	1,800.00
Salary of Mineral Clerk	1,800.00	1,800.00
Salary of Assistant Mineral Clerk	1,650.00	1,650.00
Salary of Assistant Mineral Clerk	1,650.00	1,650.00
Accounting Division:		
Salary of Cashier who shall give bond in the sum of \$25,000.00	2,000.00	2,000.00
Salary of Auditing Accountant.	1,800.00	1,800.00
Salary of 4 bookkeepers at \$1800 each	7,200.00	7,200.00
Salary of 3 Bookkeepers at \$1500 each.	4,500.00	4,500.00
Salaries of two remittance listing Clerks at \$1500 each	3,000.00	3,000.00
Salaries of two Receipt Listing Clerks.	3,000.00	3,000.00
Drafting Division:		
Salary of Chief Draftsman	2,100.00	2,100.00
Salaries of two Compiling Draftsmen at \$1500 each	3,000.00	3,000.00
Salaries of 4 draftsmen at \$1600 each	6,400.00	6,400.00
Salary of mail clerk, messenger and janitor.	1,200.00	1,200.00

	For the years ending	
	Aug. 31, 1920.	Aug. 31, 1921.
Salary Map Machine Operator.....	\$ 1,200.00	\$ 1,200.00
Miscellaneous Items:		
Postage, stationery, books and express	5,000.00	5,000.00
Telegraphing, telephoning, telephones, towels and laundry	200.00	200.00
Traveling expenses of Commissioner, or an employee under his direction, not over \$400 to be spent going outside of the State.....	1,000.00	1,000.00
Surveying and expenses incident thereto under direction of Land Commissioner	7,500.00	7,500.00
Vellum and all paper, cloth and other materi- als necessary and incidental to the use and operation of the blue print machine, drafting material and supplies to be available for all departments of the State Government using the blue print machine in the New Land Office Building	10,000.00	10,000.00
Contingent Expenses.	300.00	300.00
Binding records	150.00	150.00
Total	\$112,400.00	\$112,400.00

All salaries shall be paid in twelve equal monthly installments, except where otherwise provided herein.

Provided that it shall be the duty of the Commissioner of the General Land Office to change any employee of his office to any desk or place when necessary to keep all employes.

Provided, that the head of said department keep a record of the absences of the various employes and the reasons therefor, whether from sickness, vacation or leave of absence, and that the record of such absence be incorporated in the report made annually by the head of said department.

The appropriations herein provided for are to be construed as the maximum sums to be appropriated to and for the several purposes named herein and no expenditures shall be made, nor shall any obligations be incurred, which, added to the actual expenditures, will exceed the amounts herein appropriated, for either of said purposes, except under the provisions provided for in Article 4342, of Chapter 2, Title 65, of the Revised Civil Statutes of 1911.

RAILROAD COMMISSION.

Salaries of:

Three Commissioners, \$4,000.00 each	\$ 12,000.00	\$ 12,000.00
Secretary	2,000.00	2,000.00
Civil Engineer	3,000.00	3,000.00
Expert Rate Clerk	2,700.00	2,700.00
Assistant Rate Clerk	2,500.00	2,500.00
Chief Expert Accountant	2,700.00	2,700.00
Assistant Expert Accountant and Rate Clerk..	1,800.00	1,800.00
Assistant Expert Accountant	2,400.00	2,400.00
One Rate Clerk	1,500.00	1,500.00
Traveling Inspector	2,400.00	2,400.00
Two General Clerks and Stenographers \$1200 each	2,400.00	2,400.00
Porter	600.00	600.00
Contingent expenses, sheriff fees, necessary traveling expenses and transportation of Commissioners and employes, not to exceed \$2,000.00 for traveling outside of the State of Texas, files, postage, stationery, books, tel- egraph, telephone and express charges, for printing blanks, maps, pamphlets, rulings, tariffs and for other necessary expenses.....	7,000.00	7,000.00

For the years ending
Aug. 31, 1920. Aug. 31, 1921.

All salaries shall be paid in twelve equal
monthly installments, except where other-
wise herein provided.

Total	\$43,000.00	\$ 43,000.00
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Provided, that the head of said department keep a record of the absences of the various employes and the reasons therefor, whether from sickness, vacation or on leave of absence, and that said record be incorporated in the reports made annually by the head of said department.

The appropriations herein provided for are to be construed as the maximum sums to be appropriated to and for the several purposes named herein and no expenditures shall be made nor shall any obligations be incurred which, added to the actual expenditures, will exceed the amounts herein appropriated for either of the said purposes named herein except under the provisions provided for in Article 4342, Chapter 2, Title 65 of the Revised Civil Statutes of 1911.

STATE RECLAMATION DEPARTMENT.

Salary of State Reclamation Engineer, whose qualifications and salary are fixed by Chapter 145, General Laws, 1913, creating said office.	\$ 3,600.00	\$ 3,600.00
Salary of one technical assistant, thoroughly experienced and skilled in topographic engineering, and in the supervision of all such work in the field and office, having had not less than six years' active and continuous professional experience therein; experienced in hydraulic engineering as applied to reclamation of overflowed and swamp lands, and familiar with the design, construction and repair of such reclamation works; thoroughly familiar with the levee laws of Texas, and the organization, maintenance and supervision of districts under them; at a salary not to exceed two hundred and eight and one-third dollars (\$208.33 1-3) per month.	2,500.00	2,500.00
Salary of one technical assistant, skilled in topographic engineering, drafting, compiling and and finishing maps, experienced in examining and adjusting land surveys, making profiles and estimates, hydraulic measurements of streams and other hydraulic investigations and determinations, familiar with the design, location and construction of levee and drainage improvements, experienced in supervising and instructing other men in all such work in field and office; having had not less than five years' actual experience in topographic work, particularly with the plane table instrument; at a salary not to exceed one hundred and eighty-three and one-third dollars (\$183.33 1-3) per month.	2,200.00	2,200.00
Salary of one technical assistant, skilled in topographic mapping with the plane table instrument, drafting, compiling, lettering, adjusting and finishing maps, adjustment of land surveys, experienced in making profiles and estimates, hydraulic measurements of streams and other hydraulic determinations, familiar		

For the years ending
Aug. 31, 1920. Aug. 31, 1921.

with the design, location and construction of levee and drainage improvements; having had not less than four years' actual experience in such work; at a salary not to exceed one hundred and sixty-six and two-thirds dollars (\$166.66 2-3) per month.....	\$ 2,000.00	\$ 2,000.00
Salary of one technical assistant, skilled in topographic mapping with the plane table instrument, map adjusting and drafting, and adjustment of land surveys, experienced in hydraulic measurements of streams and other hydraulic determinations, familiar with the design, location and construction of levee and drainage improvements, and the making of profiles and estimates; having had not less than three years' actual experience in such work; at a salary not to exceed one hundred and fifty dollars (\$150.00) per month.....	1,800.00	1,800.00
Salary of one technical assistant, experienced in topographic mapping with the plane table instrument, map drafting and compiling profiles, familiar with the hydraulic measurements of streams and the design and location of levee and drainage improvements; having had not less than two years' actual experience in such work; at a salary not to exceed one hundred and thirty-seven and 50-100 dollars (\$137.50) per month.....	1,650.00	1,650.00
Salary of one technical assistant, experienced in geodetic surveying, computing, traversing and leveling; proficient in hydraulic measurements and computations, and in making profiles, estimates and land surveys; familiar with the design, location and construction of levee and drainage improvements, and with topographic contour mapping; having had not less than three years' actual experience in such work; at a salary not to exceed one hundred and fifty dollars (\$150.00) per month.....	1,800.00	1,800.00
Salary of one expert clerk, who shall be a competent stenographer, typewriter and accountant, experienced in compiling and computing land surveys and in map drafting, and in examining maps, profiles, documents and accounts; having had not less than five years' actual experience in such work; at a salary not to exceed one hundred and eighty-three and one-third dollars (\$183.33 1-3) per month.	10,000.00	10,000.00
Total.	\$ 27,750.00	\$ 27,750.00

It shall be the duty of the State Reclamation Engineer, under the direction of the Governor and the Attorney General, to make such surveys, maps, plats, photograph, investigations, profiles and reports of and concerning Red River as may be necessary for the institution and prosecution of any suit or suits instituted by the State of Texas and the State of Oklahoma or for the defence of any similar suit brought by the State of Oklahoma or by the United States; and for such purpose the State Reclamation Engineer and his department may use all employees, resources, supplies and instruments of said department and all appropriations herein made, when consistent with the other duties of the department; and in

addition may employ such engineers, experts, scientists and laborers, and purchase such supplies, instruments and materials as may be necessary; and for which purposes there is hereby appropriated, out of any funds not otherwise appropriated, the sum of ten thousand dollars (\$10,000.00) for the two fiscal years ending August 31, 1921.

Provided, that the head of said department shall keep a record of the absences of the various employees and the reasons therefor, whether from sickness, vacation, or leave of absence, and said record shall be incorporated in the report made annually by the head of said department.

The appropriations herein provided for are to be construed as the maximum sums to be appropriated to and for the several purposes named herein, and no expenditures shall be made nor shall any obligations be incurred, which, added to the actual expenditures, will exceed the amounts herein appropriated for either of said purposes, except under the provisions provided for in Article 4342 of Chapter 2, Title 65 of the Revised Civil Statutes of 1911.

DEPARTMENT OF AGRICULTURE.

For the years ending
Aug. 31, 1920. Aug. 31, 1921.

Salaries of:		
Commissioner.	\$ 3,600.00	\$ 3,600.00
Chief Clerk.	2,000.00	2,000.00
Chief Statistician	1,650.00	1,650.00
Three Stenographers, \$1200.00 each.	3,600.00	3,600.00
Two General Clerks, \$1200.00 each.	2,400.00	2,400.00
One mailing and filing clerk.	1,200.00	1,200.00
Porter.	600.00	600.00
Traveling expenses of Commissioner and representatives, while on official business, not to exceed \$600.00 for traveling outside of the State of Texas.	1,500.00	1,500.00
Stationery, postage, telegraph, telephones and express.	5,000.00	5,000.00
Collecting and compiling and disseminating agricultural information.	5,000.00	5,000.00
Telephone rent.	72.00	72.00
Contingent expenses.	500.00	500.00
Division of Institutes:		
Director of Institute.	2,000.00	2,000.00
Office Assistant and Stenographer	1,500.00	1,500.00
Secretary of Institutes	500.00	500.00
Twelve Regular Field Workers, \$1500.00 each	18,000.00	18,000.00
Four local Field Workers to be used as needed	2,500.00	2,500.00
Two colored Field Workers, \$1000.00 each.	2,000.00	2,000.00
Traveling expenses, Director, Assistant and for twelve field workers, provided none of this amount shall be used for traveling outside of the State of Texas.	15,000.00	15,000.00
Traveling expenses of four local field workers, provided none of this amount shall be used for traveling expenses outside of the State of Texas.	2,000.00	2,000.00
Traveling expenses of colored field workers, provided none of this amount shall be used for traveling outside of the State of Texas.	1,500.00	1,500.00
To purchase material for demonstrating how to prepare poison for wild animal pests.	100.00	100.00
Bureau of Markets:		
Director.	2,400.00	2,400.00
Three Assistants \$1800.00 each.	5,400.00	5,400.00
Three Assistants, \$1500.00 each.	4,500.00	4,500.00
Traveling expenses of Director and Assistants,		

	For the years ending Aug. 31, 1920. Aug. 31, 1921.	
none of which shall be used for traveling outside of the State of Texas.	\$ 4,000.00	\$ 4,000.00
Stenographer.	1,200.00	1,200.00
For local inspectors to be used as needed.	2,250.00	2,250.00
Bureau of Edible Nuts:		
Chief of Bureau and Assistant \$1800.00 for the Chief and \$1500.00 for Assistant.	3,300.00	3,300.00
Expenses of Chief and Assistant, none of which shall be used for traveling outside of the State.	1,500.00	1,500.00
Nursery Inspection Division:		
Chief Inspector.	2,000.00	2,000.00
Six Assistants, \$125.00 per month each.	9,000.00	9,000.00
General expense fund for necessary expenses of the Division, including traveling expenses of Chief Inspector and six assistants, none of which shall be used for traveling outside of the State.	7,000.00	7,000.00
Bureau of Plant Pathology:		
Chief Pathologist.	2,100.00	2,100.00
Traveling expenses, none of which shall be used for traveling outside of the State of Texas. ..	1,000.00	1,000.00
Division of Entomology:		
Chief Entomologist.	2,500.00	2,500.00
Chief Assistant.	1,500.00	1,500.00
Assistant Entomologist.	1,350.00	1,350.00
Insect collecting and mounting material.	150.00	150.00
Spraying machinery for demonstration.	500.00	500.00
Traveling expenses of Entomologist and Assistants, not to exceed \$200.00 for traveling outside of the State.	2,000.00	2,000.00
Books and Literature.	200.00	200.00
Chemicals and Insecticides.	300.00	300.00
One photographic outfit.	300.00	50.00
Pink Boll Worm Division:		
One Chief Scout.	1,800.00	1,800.00
Three inspectors, \$100.00 per month each to be used as needed.	3,600.00	3,600.00
One Quarantine Surveyor, \$125.00 per month, to be used as needed.	1,500.00	1,500.00
One stenographer.	1,200.00	1,200.00
Traveling expenses of Pink Boll Worm Inspectors, not to exceed \$1000.00 for traveling outside of the State.	5,000.00	5,000.00
Records and maps.	200.00	200.00
Surveyors instruments for map work.	400.00	400.00
Quarantine stakes and tools.	200.00	200.00
To meet amount allotted by the U. S. Bureau of Plant Industry to be used in salaries and expenses, and for inspections and eradication of citrus canker, none to be used for traveling outside of the State.	15,000.00	15,000.00
All salaries shall be paid in twelve equal monthly installments, except where otherwise provided herein.		
Total.	\$155,672.00	\$155,322.00

Provided that the head of said department keep a record of the absences of the various employees and the reasons therefor, whether from sickness, vacation or on leave of absence, and that said record be incorporated in the reports made annually by the head of said department.

The appropriations herein provided for are to be construed as the maximum sums to be appropriated to and for the several purposes named herein, and no expenditures shall be made, nor shall any obligations be incurred, which, added to the actual expenditures, will exceed the amounts herein appropriated for either of said purposes, except under the provisions provided for in Article 4342 of Chapter 2, Title 65 of the Revised Civil Statutes of 1911.

BOARD OF WATER ENGINEERS.

	For the years ending	
	Aug. 31, 1920.	Aug. 31, 1921.
Salaries of three members of board at \$3600.00 each	\$ 10,800.00	\$ 10,800.00
Salary of Secretary hereby fixed at	2,500.00	2,500.00
Salary of one stenographer	1,500.00	1,500.00
Salary of draftsman	1,800.00	1,800.00
Books, stationery, instruments, postage, telephone, telegraphing and printing	1,000.00	1,000.00
Traveling expenses of members of Board and employees, none of which shall be used for traveling outside of the State	3,000.00	3,000.00
Contingent expenses, including ice, janitor service and incidentals	250.00	250.00
Stream measurements, including traveling expenses of hydrographers, none of which shall be used for traveling outside of the State, and publication of results	10,000.00	10,000.00
Measurements of duty of water in irrigation, including traveling expenses of assistants and publication of results	7,500.00	7,500.00
Investigation of storage reservoir and dam sites including traveling expenses of assistants, making cost estimates and publication of results, provided none of this amount shall be used for traveling outside of the State	5,000.00	5,000.00
Adjudication and determination of existing water rights, including salaries and expenses of necessary employees, making seepage measurements of streams and in the installation and operation of necessary measuring devices on canals and division works	10,000.00	10,000.00
Total	\$ 53,350.00	\$ 53,350.00

Provided that the head of said department keep a record of the absence of the various employees, and the reasons therefor, whether from sickness, vacation or on leave of absence, and that said record be incorporated in the reports made annually by the head of said department.

The appropriations herein provided for are to be construed as the maximum sums to be appropriated to and for the several purposes named herein, and no expenditures shall be made, nor shall any obligations be incurred, which added to the actual expenditures will exceed the amounts herein appropriated for either of said purposes, except under the provisions provided for in Article 4342 of Chapter 2, Title 65 of the Revised Civil Statutes of 1911.

MARKETS AND WAREHOUSE DEPARTMENT AND WEIGHTS AND MEASURES DEPARTMENT.

Salary of Commissioner of Markets and Warehouses	\$ 3,600.00	\$ 3,600.00
Traveling expenses of Commissioner or Chief		

For the years ending
Aug. 31, 1920. Aug. 31, 1921.

Clerk, when traveling on official business for the State, not to exceed \$400.00 for traveling outside of the State.....	\$ 1,000.00	\$ 1,000.00
Salary of Chief Clerk.....	2,400.00	2,400.00
Salary of Bookkeeper.....	1,500.00	1,500.00
Salary of two Stenographers, \$1200.00 each...	2,400.00	2,400.00
Salary of File Clerk.....	1,000.00	1,000.00
Salary of Porter	600.00	600.00
Postage	1,000.00	1,000.00
Contingent Expenses	500.00	500.00
Stationery, printing and publishing	1,000.00	1,000.00
Director of Warehouse Division	2,400.00	2,400.00
Two Additional Examiners Warehouse Division, \$2000.00 each.....	4,000.00	4,000.00
Traveling expenses of Director and Examiners, none of which shall be used for traveling outside of the State	2,400.00	2,400.00
Salary of Chief Clerk Gin Division	1,500.00	1,500.00
Eight Gin Inspectors at \$1500.00 each	12,000.00	12,000.00
Traveling expenses of Gin Inspectors, not to exceed \$100.00 per month each, none of which shall be used for traveling outside of the State	9,600.00	9,600.00
Salary of Chief of Marketing Division.....	2,200.00	2,200.00
Stenographer	1,200.00	1,200.00
Salary of Four Expert Marketing Agents, two of whom shall be expert cotton graders, at \$2000.00 per year each	8,000.00	8,000.00
Traveling expenses of Chief Marketing Agent, expert cotton graders and expert marketing agents, none of which shall be used for traveling outside of the State	3,000.00	3,000.00
Postage, telegraph and telephone, expenses for marketing division	2,000.00	2,000.00
Salary of one Chief Inspector of Weights and Measures	2,000.00	2,000.00
Eight Inspectors of Weights and Measures, \$1,500.00 each	12,000.00	12,000.00
Traveling expenses of eight Inspectors, none of which shall be used for traveling outside of the State	8,000.00	8,000.00
Salary of one stenographer and filing clerk to the Weights and Measures Division.....	1,200.00	1,200.00
All salaries to be paid in twelve equal monthly installments, except where otherwise provided herein.		

Total \$ 86,500.00 \$ 86,500.00

Provided that the head of said department keep a record of the absences of the various employes and the reasons therefor, whether from sickness, vacation or on leave of absence, and that the record of such absences be incorporated in the report made annually by the head of said department.

The appropriations herein provided for are to be construed as the maximum sums to be appropriated to and for the several purposes named herein, and no expenditures shall be made nor shall any obligations be incurred, which, added to the actual expenditures, will exceed the amounts herein appropriated for either of the said purposes, except under the provisions provided for in Article 4342 of Chapter 2, Title 65 of the Revised Civil Statutes of 1911.

All fees collected under the Marketing and Warehouse Laws and under the Weights and Measures Law shall be deposited in the State Treasury

or any bank under the direction of the State Treasurer; provided further that the Commissioner may require such of the employes of the Department of Markets and Warehouses or of the Weights and Measures to give bond payable to the State of Texas in such amounts as he may deem proper to indemnify the State, or the Commissioner, against loss by reason of any defalcation of such employe, or by loss or destruction of any property or apparatus belonging to the State of Texas, in his charge.

DEPARTMENT OF PUBLIC BUILDINGS AND GROUNDS.

	For the years ending	
	Aug. 31, 1920	Aug. 31, 1921
Salaries of:		
Superintendent	\$ 2,400.00	\$ 2,400.00
Chief Clerk	1,800.00	1,800.00
Stenographer and Filing Clerk	1,200.00	1,200.00
Chief Engineer	1,800.00	1,800.00
Assistant Engineer	1,200.00	1,200.00
Electrician and plumber	1,300.00	1,300.00
Seven watchmen, \$900.00 each	6,300.00	6,300.00
Watchman and cleaner for dome	900.00	900.00
Carpenter	1,500.00	1,500.00
Two elevator operators, \$600.00 each	1,200.00	1,200.00
Two firemen, \$1,000.00 each	2,000.00	2,000.00
Freight elevator operator	720.00	720.00
Two night watchmen at Capitol for purposes of fire protection, \$900.00 each	1,800.00	1,800.00
Painter	1,300.00	1,300.00
Plasterer	1,000.00	1,000.00
Expert to repair typewriters and adding machines	1,200.00	1,200.00
Extras and parts for typewriters and adding machines	350.00	350.00
Seven cleaners, \$720 each	5,040.00	5,040.00
Teamster	720.00	720.00
Labor and material on Capitol grounds, keeping State cemetery, repairing State sewer, and headstones for Confederate Veterans interred in State cemetery	6,000.00	6,000.00
Water, light, fuel, machinery, repairs and contingencies none of which shall be used for salaries	16,000.00	16,000.00
For the purchase of electric light globes and electrical apparatus for entire Capitol State Office Building	500.00	500.00
To build partitions in rooms to be vacated by the Daughters of Confederacy and repair large room in basement for use of the Comptroller's Department and to make such other changes in building which may be necessary	1,000.00	
Salaries of two watchmen, one for basement to act as cleaner and watchman and one to act as watchman for Governor's Mansion, \$900.00 each	1,800.00	1,800.00
To repair and refurnish ladies rest room	500.00	50.00
Salary of matron for Capitol building	720.00	720.00
Salary of Mrs. Rebecca J. Fisher, Guide in Charge of Painting	600.00	600.00
Salary of Mrs. O. M. Roberts, Assistant Guide in Charge of Painting	600.00	600.00
Oil and waste for engines, dynamos and steam pump, boiler compound, drawing paper and stationery for Capitol power house	500.00	500.00
Feed for teams	350.00	350.00

	For the years ending	
	Aug. 31, 1920	Aug. 31, 1921
Tools and implements.....\$	150.00	\$ 150.00
Additional help to be used as needed.....	500.00	500.00
To furnish new quarters for Capitol Post Office	1,500.00	
To purchase Texas and U. S. flags and bunting for Capitol and State Office Building.....	250.00	250.00
To buy toilet paper for all toilets in Capitol and State Office Building.....	400.00	400.00
To purchase paint, varnishes and brushes.....	1,600.00	1,600.00
To purchase mops, brooms, floor sweep, brushes, disinfectants and cleaner's supplies for entire Capitol and State Office Building.....	1,500.00	1,500.00
To paint, sand, repair outside of and roof of dome of Capitol Building.....	11,500.00	
To repair roof of Capitol Building.....	500.00	500.00
Salary of elevator man at the New State Office Building	600.00	600.00
Salary of two caretakers and night watchmen for the New State Office Building, one of whom shall be on duty at all times when the building is not open for the transaction of business, \$900.00 each.....	1,800.00	1,800.00
Salary of Chief Engineer and Electrician and State Office Building.....	1,500.00	1,500.00
Salary of Assistant Engineer, Electrician and fireman State Office Building.....	1,000.00	1,000.00
Fuel, water, light, gas, power, oil, waste and upkeep of elevator at and for State Office Building and for contingencies, none of which shall be used for salaries.....	5,000.00	5,000.00
To buy office furniture and fixtures for Agri- cultural Department	600.00	600.00
To buy office furniture and fixtures, for Food and Drug Department.....	100.00	100.00
To buy office furniture and fixtures for Texas Library and Historical Commission.....	500.00	500.00
To buy office furniture and fixtures for Bureau of Labor Statistics	750.00	750.00
To buy office furniture and fixtures for Indus- trial Welfare Board	350.00	350.00
To buy office furniture and fixtures for Board of Pardon Advisers.	300.00	250.00
To buy office furniture and fixtures for General Land Office	250.00	250.00
Typewriters and repairs and exchange of old machines, General Land Office.....	200.00	200.00
For steel filing cases and shelving to preserve permanent records of Comptroller's Depart- ment	5,000.00	5,000.00
Typewriters and furniture Comptroller's Depart- ment	250.00	250.00
To buy office furniture and fixtures for State Expert Printer	50.00	50.00
To buy office furniture and fixtures for State Purchasing Agent	300.00	300.00
To buy office furniture and fixtures for Insur- ance and Banking Department.....	300.00	300.00
To buy office furniture and fixtures for State Board of Health.....	1,000.00	1,000.00
To buy office furniture and fixtures for Board of Water Engineers.....	750.00	450.00

	For the years ending	
	Aug. 31, 1920	Aug. 31, 1921
To buy typewriters, adding machines and other office equipment for Fire Insurance Commission.	\$ 500.00	\$ 500.00
To buy office furniture and fixtures for Executive Department	300.00	300.00
To buy office furniture and fixtures and one calculating machine for State Tax Board.	400.00	100.00
To buy office furniture and fixtures for Attorney General's Office	250.00	250.00
To buy office furniture and fixtures for Railroad Commission	250.00	250.00
To buy office furniture and fixtures for Secretary of State.	300.00	300.00
To buy office furniture and fixtures for Game, Fish and Oyster Commission.	250.00	250.00
To buy office furniture and fixtures for Inspector of Masonry Department.	100.00	100.00
To buy office furniture and fixtures for Commission of Markets and Warehouses.	250.00	250.00
To buy office furniture and fixtures for Department of Education.	1,000.00	1,000.00
San Jacinto Park:		
Salary of keeper and landscape gardener.	1,500.00	1,500.00
Salary of gardener.	600.00	600.00
Feed for teams.	250.00	250.00
Repairs and upkeep of roads and culverts.	500.00	500.00
Upkeep and equipment of rest room and sanitary closets	300.00	300.00
Repairs of walks through park.	200.00	200.00
Labor and upkeep of park and other expenses.	1,000.00	1,000.00
Tools and implements.	100.00	50.00
Upkeep of fences.	100.00	100.00
To purchase a mule.	200.00	
To clear out undergrowth and other improvements in large park.	350.00	
To purchase shell for three miles of driveway of large park.	2,500.00	
To build barn, workshop and tool house.	500.00	
Gonzales Park:		
Salary of keeper.	900.00	900.00
Fire Insurance.		35.00
Repairs to cottage.	100.00	100.00
Extra labor	500.00	500.00
Water rent	300.00	300.00
Flowers and shrubbery.	250.00	250.00
Miscellaneous	100.00	100.00
Tools and implements.	50.00	50.00
Fannin Park:		
Salary of Keeper.	600.00	600.00
To purchase shrubbery, flowers and trees.	150.00	150.00
To reline cement water tank.	450.00	
For cement curb for driveway in park and cost of gravel on same.	600.00	
To erect a fence around keeper's cottage, tool house and for other repairs about keeper's cottage	300.00	
Miscellaneous.	100.00	100.00

	For the years ending	
	Aug. 31, 1920	Aug. 31, 1921
Washington Park:		
Salary of Keeper.....	\$ 600.00	\$ 600.00
Improvements, upkeep and other expenses....	2,500.00	1,500.00
King Park:		
For improving, sustaining and expenses of King Park.	500.00	500.00
Paving:		
First street abutting Lots 7, 8, 9, 10, 11 and 12, Block 183, Austin.....		1,404.50
Tenth street between Colorado and Lavaca Street, abutting Governor's Mansion.....		1,657.45
Colorado Street from the North line of 11th Street to the North line of Capitol Grounds..		5,600.00
Brazos Street from the North line of 11th Street to the North line of Capitol Grounds.....		5,100.00
Thirteenth Street (alley) from Colorado Street to Brazos Street, abutting the North line of Capitol Ground proposed to be paved with concrete at an estimated cost of \$2.00 per square yard.		1,088.00
Unpaved driveways in Capitol Grounds.....		5,800.00
Alley abutting the new Land Office proposed to be paved with concrete at an estimated cost of \$2.00 per square yard, provided the property owners adjoining this property pave their proportionate part.....		546.00
All salaries shall be paid in twelve equal monthly installments, except where otherwise provided herein.		
Total.	\$120,750.00	\$118,630.95

The appropriations herein made for this department shall, when Chapter 167, General Laws of the Regular Session of the Thirty-sixth Legislature goes into effect, be available for expenditures by the Board of Control in such manner as said Board may find necessary to effectuate the purposes of said Chapter 167.

Provided that the heads of all departments keep a record of the absences of the various employees and the reasons therefor, whether from sickness, vacation or on leave of absence, and that the record of such absences be incorporated in the report made annually by the head of said department.

The appropriations herein provided for are to be construed as the maximum sums to be appropriated to and for the several purposes named herein, and no expenditures shall be made, nor shall any obligations be incurred, which added to the actual expenditures, will exceed the amounts herein appropriated for either of said purposes, except under the provisions provided for in Article 4342 of Chapter 2, Title 65 of the Revised Civil Statutes of 1911.

BOARD OF CONTROL.

All appropriations herein made for the various departments consolidated and placed under the State Board of Control by Chapter 167, General Laws of the Regular Session of the Thirty-sixth Legislature, shall when said act goes into effect, be available for expenditures under said act in such manner as the State Board of Control may find necessary to effectuate the purposes of said Chapter 167, and in addition, there is hereby appropriated out of any funds not otherwise appropriated

For the years ending
Aug. 31, 1920. Aug. 31, 1921.

for the purpose of carrying into effect said act
and supporting the department of the State
Board of Control, for the two fiscal years
ending August 31, 1921 the following sums
of money, to-wit:.....\$ 30,000.00 \$ 30,000.00

STATE PENITENTIARIES.

The proceeds of all convict labor on farms and elsewhere, the proceeds of all manufactured products, all farm products, and all other proceeds of the Penitentiary System and of all other sources connected therewith, or so much thereof as may be necessary, are hereby appropriated for the maintenance and support of the penitentiary system including buildings, farms and improvements, and repairs on same for the years ending August 31, 1920, and August 31, 1921, out of which fund shall also be paid any indebtedness of said system not otherwise provided for by specific appropriations, as well as the expenses attached to conveying convicts to the penitentiaries and farms. Said fund shall be deposited with the State Treasurer and paid out as provided in Article 6188 and 6192 of The Revised Civil Statutes of 1911. The prison Commission shall cause to be made on the first of each month a detailed statement of all receipts from whatever sources during the preceding month, together with statement in detail of all disbursements for any purpose whatever, and also of all obligations incurred by the Commission during said month. Said statement shall also show balances, if any on hand in bank and in State Treasury; said statement shall be verified by the prison auditor and one copy shall be filed with the Governor, one with the Comptroller and one shall be filed in the office of the Prison Commission.

Section 2. Provided that no money herein or hereby appropriated for any purpose shall be paid any person directly or indirectly, who is not, at the time of receiving such pay, remuneration or emolument, a citizen of the United States under the laws of the United States; provided however, that this Act shall not apply to any person, who is not a citizen of the United States, under the naturalization laws of the United States, who has resided in Texas for a period of ten years, who shall, within thirty days, after this Act shall take effect, make application to become a citizen of the United States, and who shall, within two years, after making such application, become a citizen of the United States, under the naturalization laws of the United States.

Provided further that it may be the duty of the heads of the Departments to change any employee of his office to any desk or place when necessary to keep all employed.

Sec. 3. The fact that the Regular Session of the Thirty-sixth Legislature adjourned without passing the General Appropriation Bill, and the further fact that public policy requires that proper provision be made for the maintenance and support of all State institutions and departments with as little delay as possible, and this Bill, being one of the regular appropriation bills, and the near approach of the date of adjournment of this Special Session creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days be suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

RECAPITULATION.

Executive Office.	\$ 27,086.00	\$ 26,086.00
Mansion and Grounds.	5,000.00	5,000.00
Board of Pardon Advisers.	9,350.00	9,350.00
Department of State.	29,620.00	29,620.00
Inspector of Masonry.	11,600.00	11,600.00
Insurance and Banking.	153,196.00	155,696.00
Fire Rating Board.	133,900.00	133,900.00
Industrial Accident Board.	23,900.00	23,900.00
Texas Library.	20,312.00	22,298.00

	For the years ending	
	Aug. 31, 1920	Aug. 31, 1921
State Tax Board.....	\$ 4,894.00	\$ 4,894.00
State Purchasing Agent.....	11,760.00	11,760.00
Public Printing.	49,100.00	49,100.00
Texas State Railroad.....	16,000.00	7,250.00
Bureau of Labor Statistics.....	41,650.00	41,650.00
Industrial Welfare Commission.....	13,500.00	13,500.00
Adjutant General's Department.....	118,400.00	118,400.00
Ranger Force.	156,362.00	156,362.00
State Board of Health.....	126,050.00	126,050.00
Game, Fish and Oyster Commission.....	87,830.00	58,430.00
Live Stock and Sanitary Commission.....	228,990.00	253,990.00
State Mining Board.....	3,600.00	3,600.00
Pure Food and Drug Department.....	54,950.00	54,950.00
Attorney General's Department.....	82,405.00	83,170.00
Department of Education.....	77,350.00	77,350.00
Treasury Department.	35,425.00	30,675.00
Comptroller's Department.	125,050.00	125,050.00
General Land Office.....	112,400.00	112,400.00
Railroad Comm'ission.	43,000.00	43,000.00
Reclamation Department.	37,750.00	37,750.00
Department of Agriculture.....	116,672.00	115,322.00
Board of Water Engineers.....	53,350.00	53,350.00
Markets and Warehouse Department.....	86,500.00	86,500.00
Public Buildings and Grounds.....	120,750.00	118,630.95
Board of Control.....	30,000.00	30,000.00
Grand Total.	\$2,286,702.00	\$2,270,583.00
Grand total for two years.		\$4,557,285.00

Committee Room,
Austin, Texas, July 22, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 156, copy of which is hereto attached, and find it correctly enrolled, and have this day at 9:15 o'clock p. m., presented the same to the Governor for his approval.

SMITH, Chairman.

By Westbrook.

S. B. No. 156.

A BILL
To Be Entitled

An Act making appropriations to pay miscellaneous claims against the State, authorizing the payment of said miscellaneous items on the taking effect of this Act, making additional appropriations for the support of the State Government, for the fiscal year ending August 31, 1920 and August 31, 1921; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That the following sums of money, or so much thereof as may be necessary, be, and the same are hereby appropriated out of any money in the Treasury not otherwise appropriated to pay miscellaneous claims against the State as herein enumerated; and making additional appropriations for the support and maintenance of the State Government for the years ending August 31, 1920 and August 31, 1921.

AGRICULTURAL AND MECHANICAL COLLEGE.

For the purchase of additional land and the erection of necessary barracks, barns and sheds for horses and military equipment assigned to the A. & M. College for purposes of military education by the United States Government.....\$ 30,000.00

COMPTROLLER'S DEPARTMENT.

For the years ending
Aug. 31, 1920 Aug. 31, 1921

To refund to sundry foreign corporations the amounts erroneously collected from them as permit fees and franchise taxes under statutes of the State of Texas, declared to be unconstitutional in the case of Crane Company against B. F. Looney, Attorney General, to be paid on duly verified accounts in such forms as may be prescribed by the Attorney General, and the proper amounts thereof have been duly ascertained and approved by the Secretary of State and Attorney General for the years beginning with the year 1907 and through 1908, 1909, 1910, 1911, 1912, 1913, 1914, 1915, 1916 and 1917.....	\$125,000.00
To refund to liquor dealers the appropriate amount of taxes heretofore paid by them for the unexpired term of their license and advance payments of occupation and gross receipts taxes as malt and liquor dealers, under all sections and provisions of law authorizing refunds, and where such parties have been prevented from conducting their business by reason of city ordinances, State law, or other legal authority, to be paid by Comptroller on verified and approved accounts.....	25,000.00
To pay Special Judges.....	500.00
To pay Mexican War Veterans for the fiscal year ending August 31, 1920.....	8,000.00
For the fiscal year ending Aug. 31, 1921.....	8,000.00
To pay S. H. Rivers Refund Tax.....	15.15
To pay Hon. A. L. Robinson, Special District Attorney.....	200.00
To pay Morgan Printing Company.....	346.53
To pay Morgan Printing Company.....	11.90
To pay Tobins Book Store.....	98.86
To pay American Express Company.....	9.30
To pay interest on public debt for the year ending August 31, 1920.....	135,091.00
To pay interest on public debt for the year ending August 31, 1921.....	135,091.00

UNIVERSITY OF TEXAS.

To pay Miss Lavinia Harvill as Assistant Librarian at the University for the year ending August 31, 1920.....	1,000.00
To pay Miss Lavinia Harvill as Assistant Librarian at the University for the year ending August 31, 1921.....	1,000.00
(Note: It being recommended by the Finance Committee that Miss Harvill be retained in said position during her natural life owing to the fact that the State is responsible for the loss of her arm.)	

PUBLIC BUILDINGS AND GROUNDS.

To pay Grahams Drug Store.....	14.30
To pay Houston Chronicle Publishing Company.....	5.61
To pay Wichita Falls Motor Company.....	55.60
To pay Gulf Refining Company.....	53.26
To pay Randolph Paint Company.....	6.85
To pay Kreiter Machine Company.....	10.50
To pay Lone Star Ice Company.....	26.95
To pay John L. Martin.....	72.00
To pay E. M. Scarborough and Son.....	.84
To pay Benginer Brothers.....	72.45
To pay Otis Elevator Company.....	59.46
To pay Otis Elevator Company.....	50.06
To pay Marks Grain Company.....	68.42
To pay The Selig Company.....	50.15

	For the years ending	
	Aug. 31, 1920	Aug. 31, 1921
To pay Gulf Refining Company.....	\$	33.80
To pay LaPorte Lumber Company.....		126.65
To pay Water and Light Department, Austin.....		5.67
To pay Water and Light Department, Austin.....		7.70
To pay Water and Light Department, Austin.....		117.68

GENERAL LAND OFFICE.

To pay John L. Martin.....	22.04
To pay John L. Martin.....	24.07
To pay W. H. Richardson & Co.....	130.96
To pay Walsh and Burney.....	56.73
To pay McAlester Coal Co.....	267.90
To pay Water and Light Department, Austin.....	279.96
To pay Water and Light Department, Austin.....	360.11
To pay Water and Light Department, Austin.....	366.35
To pay Water and Light Department, Austin.....	394.71
To pay Water and Light Department, Austin.....	292.54
To pay Water and Light Department, Austin.....	239.23
To pay Art Metal Construction Co.....	319.50
To pay Tobins Book Store.....	1,218.57
To pay Tobins Book Store.....	500.00
To pay Tobins Book Store.....	1,000.00
To pay Tobins Book Store.....	57.27
To pay Tobins Book Store.....	36.00
To pay Tobins Book Store.....	1,470.85
To pay Tobins Book Store.....	25.20
To pay Tobins Book Store.....	362.57
To pay Tobins Book Store.....	156.08

RAILROAD COMMISSION.

To pay Tobins Book Store.....	19.93
To pay E. L. Steck.....	32.15
To pay Von Boeckman Jones Company.....	19.47

STATE TAX BOARD.

To pay Tobins Book Store.....	75.75
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GOVERNOR'S OFFICE.

To pay Water and Light Department, Austin.....	21.82
To pay John L. Martin.....	5.95
To pay Martin Linen Supply Co.....	2.50
To pay Austin Gas Light Company.....	89.21
To pay Lone Star Ice Company.....	37.00

DEPARTMENT OF AGRICULTURE.

To pay R. F. Vaughn damages to cotton crop.....	2,207.78
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STATE ORPHANS HOME.

To pay Peters Shoe Company.....	81.77
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MISCELLANEOUS CLAIMS.

To pay the City of Denton for 1-3 paving in front of Cottage property.....	838.00
To pay Mrs. T. J. Houston refund of taxes.....	5.00
To pay M. C. Abrams, refund taxes.....	10.00
To pay T. H. Williams & Company.....	39.70
To pay McKean, Eilers & Co.....	136.80
To pay E. M. Scarborough & Son.....	188.85
To pay A. C. Baldwin & Sons.....	13.60
To pay United States Post Office, Austin.....	9.36

	For the years ending	
	Aug. 31, 1920	Aug. 31, 1921
To pay First National Bank, Newsome, Texas, refund tax....\$		27.50
To pay Hon. Thos. P. Martin, Special District Attorney.....		37.72
To pay Courier Publishing Company.....		13.75
To pay Hon. C. C. Hines, Special District Attorney.....		90.00
To pay Gulf Refining Company.....		53.26
To pay W. L. Evans, sheriff Angelina County, for expenses incurred in going to and returning from California with prisoner		377.60
To make or purchase a suitable case to hold and preserve the souvenirs of General Albert Sidney Johnston, now in the museum of the Daughters of the Republic, same to be made of Texas wood as far as possible, and under the direction of Mrs. Rebecca J. Fisher and the bills and vouchers for the cost and expenses of making such case to be paid when approved by her.....		75.00
To satisfy judgment rendered in the District Court of Anderson County, Texas, in the case of John H. Elliott versus the State of Texas for the sum of \$8,500.00, against the State of Texas for injuries received by him in the service of the State Railroad on the 6th day of March 1916; said judgment having been rendered in the District Court on the 27th day of May, 1918, and affirmed in the Court of Civil Appeals at Galveston on the 8th day of May, 1919, and is now pending in the Supreme Court on application for writ of error. The Comptroller of Public Accounts will issue his warrant in full satisfaction of said judgment, interest and costs, when he is furnished with a certificate from the Clerk of the Supreme Court showing the final disposition of said cause in favor of the said Elliott.....		10,000.00
To pay J. A. Thomas, expense as District Attorney for the year 1917		46.82
To refund franchise tax paid by Retail Merchants' Association of Austin, Texas.....		43.75
To refund to R. G. Bourland for erroneous payment made the State, being interest on school lands in Collinworth County		9.36
To refund to H. L. Lewis for taxes erroneously paid in Robertson County		249.90
To pay Miss Ella Bassist for services performed in the Pension Department for two months at \$125.00 per month....		250.00
To pay Gracy Abstract Company for information regarding certain lots in the city of Austin, payable out of the Contingent Fund of the First Called Session of the Thirty-sixth Legislature, which fund has been exhausted.....		5.00
To pay First Lieutenant A. G. Patterson, \$40.00 a month for five months for services rendered Ranger service from May 20, 1860, to October 5, 1860.....		200.00
To pay Geo. D. Barnard Stationery Co. balance on stationery account furnished the Ninth Court of Civil Appeals, invoice of date September 10, 1917.....		224.10
To refund excess taxes paid by J. M. Wilson on Lots 5 and 36, Block 34, Swisher Addition to Austin.....		4.80
To refund to Planters Oil Co. of Waxahachie, Texas, refund of taxes paid in excess of rendition for 1918.....		323.01
To pay W. G. Woodward for cash advanced for the use of the Ninth Court of Civil Appeals for postage and box rent....		52.00
To refund Mrs. Mamie Braman Townsend, State taxes on Lots 3 and 4 in Block No. 2, Merchants Addition to Galveston..		2.40
To pay M. C. Jeffery expenses incurred while holding court in District No. 53.....		21.30
To pay E. T. Rosborough bill of costs in cause No. 1915, State of Texas, Appellant vs. The Courier Publishing Co., Appellee		13.75

	For the years ending	
	Aug. 31, 1920	Aug. 31, 1921
To pay Western Union Telegraph & Telephone Company balance on account incurred by Court of Civil Appeals, Second District.		\$ 30.25
To pay W. W. Ball refund of State taxes on 640 acres, Survey No. 1, in Upton County, Texas.		85.70
To pay Otto W. Stadler refund for occupation taxes erroneously paid		100.00
To pay Eagle Pass Emmigrant Agency refund on license.		53.93
To pay Walter Nix refund on taxes.		45.00
To complete monument in the State Cemetery to Johanna Troutman, the maker of the Lone Star Flag, to be expended under the direction of the Superintendent of Public Buildings and Grounds for the year ending August 31, 1921.		2,000.00
Pay Brice Woody for Ranger service performed in 1860.		100.00
To complete the repairs on the old Land Office Building, to be spent under the direction of the Superintendent of Public Buildings and Grounds.		3,000.00
To purchase blinds and shades and other necessary articles to be used in the old Land Office Building.		500.00
For the payment of all deficiencies which may be allowed and approved by the Governor under existing law for the two fiscal years ending August 31, 1921.		200,000.00
To pay W. M. Ellison, sheriff's fees.		20.00
To pay J. K. Davidson fees in examining trial.		6.00
To pay Walter Evans fees in examining trials.		7.75
To pay W. Hollingsworth, sheriff's fees.		453.05
Walter Pridemore for services as shorthand reporter.		22.50
Captain J. J. Sanders for services rendered in Ranger service. .		90.00
Viggo Kohler, refund on taxes.		46.08
To pay E. F. Garner for services in examining trials in Val Verde County for May term.		19.90
M. D. Harper, refund on taxes.		6.60
Captain J. J. O'Reilly, Farmer's and Mechanical National Bank of Fort Worth, assignee, to pay deficiency claim.		269.31
To pay D. H. Hill, refund on taxes for the year 1917.		415.86
Oscar Grey, refund on taxes.		6.72
J. A. DeMerville for services rendered State in capacity of constable		2.00
Southwestern Telegraph and Telephone Company, accounts incurred by Court of Civil Appeals, Fort Worth.		27.50
Mrs. R. Dedman, refund on taxes.		47.41
Lone Star Ice Company, account against Governor's Mansion. .		104.40
J. H. Donald, refund on taxes.		5.03
R. B. Foster, estate, refund on taxes.		46.35
City of Austin, water, light and power department, for Confederate Home		253.64
To refund Petroleum Refining Company for gross receipt taxes, erroneously paid		287.34
W. W. Dodd for services as District Attorney, 1917.		450.00
To pay M. C. Nelson, services as District Attorney.		315.00
To pay H. S. Lattimore commission in inheritance taxes collected in Tarrant County under contract, which contract was authorized by law and which commission was erroneously remitted to the Comptroller.		1,945.33
To pay Von Boeckmann-Jones Co. for printing and binding House Journals and Legislative Manual.		3,816.41
Wrought Iron Range Co. of St. Louis, account of Confederate Home		140.00
Total first year.	\$464,376.05	
Total second year	244,091.00	

Sec. 2. The appropriations herein provided for are to be construed as the maximum sums to be appropriated to and for the several purposes named herein, and no expenditures shall be made, nor shall any obligations be incurred, which, added to the actual expenditures, will exceed the amounts herein appropriated for either of said purposes, except under the provisions provided for in Article 4342 of Chapter 2, Title 65 of the Revised Civil Statutes of 1911.

Sec. 3. The fact that the regular session of the Thirty-sixth Legislature adjourned without passing the appropriation bill, and the further fact that public policy requires that proper provisions be made for the maintenance and support of the State Institutions, with as little delay as possible, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.